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HANSARD'S

PARLIAMENTARY DEBATES,

VOL. XC.

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HANSARD'S

PARLIAMENTARY DEBATES:

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

10° VICTORIÆ, 1847.

VOL. XC.

COMPRISING THE PERIOD FROM

THE SIXTEENTH DAY OF FEBRUARY,

TO

THE FIFTEENTH DAY OF MARCH, 1847.

Second Volume of the Session.

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1847.

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HANSARD'S

PARLIAMENTARY DEBATES,

IN THE *SEVENTH SESSION* OF THE *FOURTEENTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET 11 NOVEMBER, 1841, AND FROM THENCE CONTINUED TILL 19 JANUARY, 1847, IN THE TENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

SECOND VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, February 16, 1847.

MINUTES.] PUBLIC BILLS.—2ª Brewing from Sugar; Distilling from Sugar.

PETITIONS PRESENTED. By Lord Monteagle, from Limerick, against the Collection of Ministers' Money (Ireland); and from the Limerick Chamber of Commerce, for the Repeal of the Lighthouse Dues.—From Dublin, for the Adoption of such Measures as may insure the People of Ireland such a Supply of Food as will save them from Starvation.

IRISH POOR IN LIVERPOOL.

EARL FITZWILLIAM said, that, with the leave of their Lordships, he would bring under the notice of the House some information which he had that day received upon the subject of the great influx of the Irish paupers into the town of Liverpool. A Manchester paper had been sent to him, which contained a long account of the results of the measures which had been taken to meet the exigency. Their Lordships would recollect that by the papers which were yesterday laid on the Table, it appeared that in one day of January, upwards of 24,000 Irish paupers were relieved in the town of Liverpool. The pressure of this was felt to be so great that inquiries were at length instituted, which inquiries were followed by a considerable diminution. But in addition to that, the assistant poor-law commissioner of the district, Mr. Austin, who had been directing his attention to the Irish paupers in Liverpool for some days, made a representation to the select vestry; and in consequence the following analysis was prepared of the immigrants and persons relieved in Liverpool during the previous ten days. It appeared from this that the arrivals were, of men 4,498, and that the increase in the number of men relieved was 2,631; that the arrivals of women were 1,755, and the increase in the number of women relieved was 2,811, or about 1,200 beyond the number of immigrants; and that of children the immigration was 1,150, and the increase in the number relieved 8,814. Now it was quite clear from these figures that the increase which had taken place in the numbers relieved was not occasioned solely by the arrivals of immigrants. The result of the alteration in the mode of giving relief was as follows: The last day on which any great number were relieved was on Monday, he supposed the 1st of February, when the number was 22,348; but on the next day, under the operation of the new system, which had been in the first instance instituted by the select vestry, and afterwards carried further in consequence of the representations of Mr. Austin, the number was as low as 4,906. This was attributable merely to more active measures having been adopted for the purpose of ascertaining whether parties had a just claim to relief. It was worth their Lordships' while to make an inquiry into the cause of this extensive immigration; because much was said with regard to the immigration into Liverpool, and the great burden which that immigration had inflicted upon the town, and also with regard to the circumstance of 4,000 ejectments having been brought in the county Mayo. And the inference which the public would be disposed to draw from these two facts was, that the ejectments in the county of Mayo and the relief of Irish paupers in Liverpool, had some connexion one with the other. But it was obvious, he thought, that nothing could be more erroneous—if it were not an uncivil word he should say that nothing could be more untrue—than such a conclusion, which was arrived at without the trouble of first instituting an inquiry into the facts. The truth was, that what were termed ejectments in the county Mayo were not ejectments; and the propagation of such reports must have the injurious effect of deterring the public of England from doing their duty—not towards the landed proprietors, but the destitute and suffering people of Ireland. He had deemed it right to bring this subject under their Lordships' attention, in order that they might see that the vast number of persons receiving relief in Liverpool was not so much owing to the influx of Irish paupers, as it was to the circumstance that the parochial authorities of Liverpool did not in the first instance take those efficient measures which they subsequently adopted for the purpose of preventing the impositions which had been practised upon the funds of that town.

THE CASTLEBAR UNION.

The Earl of LUCAN, after thanking the noble Earl for his remark in reference to the Mayo ejectments, proceeded to observe, that he (the Earl of Lucan) had been made the subject of an attack, or charge, or accusation, in what was called in Parliamentary language "another place." It was the practice in their Lordships' House, and he believed it used to be so in the House of Commons, not to attack individuals without giving them such a notice that they should be enabled either to defend themselves, or, if absent, furnish materials to their friends for their defence; but he had met with no such courtesy. He never heard that any such attack upon him was intended; he was never asked what defence he had to make: on the contrary, he had been treated with the greatest discourtesy. He would say no more respecting it than that he believed discourtesy to be more natural and more congenial than anything else to the habits and feelings of a certain noble Lord who had thought it right to make this attack. He (the Earl of Lucan) did not regret not having made his statement on the previous night, as it gave him an opportunity of replying to another remark of the same noble Lord. He (the Earl of Lucan) understood that he was now about to be indicted; perhaps, under such circumstances, it would be more prudent to withhold his defence; but he should do no such thing—the noble Lord might have the benefit of the explanation he was now about to make. He (the Earl of Lucan) was charged with three things: first of all—almost the last charge he was prepared to hear—that he was a debtor to the union, inasmuch as he had not paid his poor-rates; next, that he shut up the poorhouse, and kept it closed against the admission of paupers; and, thirdly, that he refused to strike a rate, and thereby prevented the relief of the poor. Now, during the time he was in the county, it was his invariable practice to attend the board of guardians as chairman; and if he was a debtor for rates, he had certainly been treated with extraordinary forbearance. The press had not always been very ready to give him credit when credit was not due; but he did not recollect being ever attacked for non-payment of rates. At the very time in question, too, he was threatening to remove the rate-collector; and by his (the Earl of Lucan's) positive instructions, there were 100 distress-warrants out in the town of Castlebar for rates, he having, in each instance, initialled the instructions. On the 22nd of January, when the Government was about to lay before Parliament certain papers relating to union workhouses in Ireland, the Home Secretary was good enough to send him some of them relating to the Castlebar union, and he hastened down to the Home Office, and stated to Sir G. Grey that the statements in the letter which he proposed to lay before Parliament were totally untrue, and the letter itself libellous. Sir G. Grey, however, said he was so far committed by some pledge he had given to Mr. P. Scrope or some other Member of Parliament, that every paper must be produced, and this among the rest; but that any letter which he (the Earl of Lucan) might send to the Home Office should be added to the papers produced. He accordingly wrote very hastily the following letter to Sir G. Grey:—

> "I have just had the honour of receiving the papers on the subject of the Castlebar union, and I thank you for allowing me their perusal. Though chairman of that board of guardians, I am very far from holding myself responsible for the way that its affairs are conducted. I have too little influence in the selection of the officers, and can exercise but too little control over them when appointed, to enable me to enforce a proper and efficient discharge of their duties. I know that there has been gross neglect on the part of the rate-collectors; and I did everything in my power, by remonstrance and menaces, to induce and urge them to compel, by all the power of the law, the payment of the rates, a very large proportion of which I knew could and ought to be collected. At the expiration of the contracts for provisions in September last, no tender was made, in consequence of the state of the markets and the financial situation of the union; and from that time to the present, the house has been entirely provided by myself. I regret that any accidental disappointment should have been experienced, of which I am only now informed; and I can only account for it by the severe illness during the last six weeks of my agent, and through the great difficulty that has occasionally existed in purchasing meal and flour in the markets. It was communicated to me that the contractor for fuel had most unexpectedly failed in the performance of his contract, and my agent received my directions to provide fuel. Coals are not now to be purchased in this country; and I am assured that he found it most difficult to procure turf. Why the sick did not receive the bread ordered them, I am ignorant, but I shall make inquiries. It is quite true, that on the 21st of November last, I did, in the presence of Mr. Otway, state my objections to striking a new rate at that time. These were founded on the fact of so large a proportion as 1,100*l.* or 1,200*l.* of the old rate being uncollected (and chiefly from solvent parties), and a consideration that such a course would not only be most unjust towards the ratepayers generally, but most unwise and impolitic, as it would most assuredly in the end discourage, if not stop, all voluntary payment of this tax, already very unpopular. I confidently expected that ere this much of the arrears would have been received; and I indulged in a hope and belief—a belief that had not been discouraged by the assistant poor-law commissioner—that the Government would see the expediency and necessity of making advances on the very unexceptionable security of the rates of the different unions requiring them, and so, at a time of such urgency, enable the boards to give the most extended operation to the Poor Relief Act. I am satisfied that very shortly the Government will find itself compelled, from the overwhelming difficulties attending the financial condition of the unions in the west of Ireland, to give such assistance. I am, too, unprepared positively to contradict Mr. Otway, when he states that two-thirds of the arrears are owing by immediate lessors, amongst whom he names Sir Samuel O'Malley, Mr. Kearney, and myself; but I totally disbelieve that they are really due by any of us. This assistant poor-law commissioner has most uncandidly withheld that the rate-books are generally most faulty in this particular, and that the landlords are constantly, by design or mistake, made chargeable when the tenant holds by lease, or when there is an intermediate lessor. Lately, in the Westport union, I found, on examination, that I was not liable, in a single instance, to some hundred occupations that had been placed against me. The collectors of the Castlebar union received positive directions to furnish every lessor with a detailed list of the claims against him, and to insist upon payment, or the cause of objection in each case. You will admit that such a course would have obviated the irregularity complained of, and which, I believe, has been most extravagantly overstated by Mr. Otway, if he has not been altogether misinformed, as I suppose. Knowing it to be the intention to include these papers with the others to be laid before Parliament this day, I think it due to others, as well as to myself, to protest against giving publicity to such a letter as Mr. Otway's, when the *animus* of this writer is so undisguised, without first allowing the parties charged, and, I believe, traduced, an opportunity of explanation and defence. Should this circumstance be as stated, the assistant poor-law commissioner has most signally failed in his duty in never having by statement or remonstrance endeavoured to bring the board of guardians to a proper sense of their duties. At this late hour, I am unable to offer other observations."

He was satisfied that of 60*l.* due, or alleged to be due, by under-tenants of his, there was no more than 12*l.* that could be said to be by implication chargeable through others to him; and of that 12*l.*, not one-third could be claimed from him. He was a large occupier of land himself, and therefore, paid a good deal of rate; but there was not one farthing due from him for any lands in his possession whatever; neither had there been a farthing due for months, for all on his account was paid a short time after the rate was struck. The next charge against him related to the shutting of the workhouse. He had been requested to come over here to make a representation to the Government of the state of the country; and after his return to Ireland, he attended the board of guardians at Castlebar, on the 28th of September. On that day every contract had stopped. On taking the chair, he was told that all the contracts for provisions had expired—that there was not a single tender before the board—nor was there likely to be one, inasmuch as there was not a farthing of money to pay for the provisions supplied. In short, such was the state of things, that it was mentioned by some of the members of the board, that it would be not only necessary not to receive further applicants for admission, but that it would be positively necessary to put out of the union-house many who were in it. When there was not a farthing of money to be had, and when, in consequence of the state of the country, no person would furnish supplies without ready money payment, he should like to know what would have happened had he not come forward and told the guardians he would relieve them from the difficulty by himself keeping the workhouse open for them? All he could say from his own experience was, that never had he been present at the board of guardians, and seen a single applicant deserving of relief refused it. Therefore, he did not understand what Mr. Otway meant when he talked of inadequate relief; and he gave a flat denial to that assertion. The Castlebar workhouse received every proper applicant from the time of its opening. It was true, that it was capable of holding 600 persons; but, until this famine occurred, there were only 90 or 100 persons in the house, and then only 170, because it was something distasteful to the Irish poor to make such applications for relief. The workhouses in Ireland always afforded double the accommodation required, and therefore a false impression would be created if it were to be supposed, because the Castlebar house was not full, that therefore the guardians were in the habit of refusing relief. Such was not the fact. When he undertook to supply the workhouse, there were 1,200*l.* of the rate not paid. This was owing solely to the neglect of the rate-collectors, and he recommended the board of guardians to compel these rate-collectors to do their duty; promising, in the meantime, to supply the workhouse. He also advised an application to the Lord Lieutenant to enable the board of guardians to borrow money. On the 24th of October, a resolution was proposed at the board of guardians, to which he was no party, and of which he had no previous notice, to the effect, that as the treasurer of the union, not being able to collect the rates, refused to advance money, the Government should be applied to for assistance or advice how to act; and that from that day the board would not feel themselves justified in admitting any more paupers, it being only owing to Lord Lucan's aid in furnishing supplies for the last four weeks, that the workhouse had been kept open. He was now defending himself more than the board of guardians, because he thought that the rates ought to have been collected, and that in this respect the guardians were wrong. The workhouse was closed, not from any feeling of inhumanity on the part of the guardians; but it was done in the hope that the Government, or the Poor Law Commission, would in some way or other afford assistance. In the course of a week, he certainly expected to hear from the Poor Law Commission either some disapprobation of the step which had been taken, or some advice to some other course; but their Lordships would be surprised to learn that it was not until about a fortnight after that the guardians received from that body a milk-and-water letter, expressing regret for the step taken, and a hope that it might be retracted. On the 21st of November, Mr. Otway arrived, and favoured the guardians with a declamation about the horrors of starvation, and their duty; and said that the doors of the workhouse should be opened instantly. After listening to him, he (the Earl of Lucan) begged him to give the guardians some practical advice as to how the people were to be fed, if the doors of the workhouse should be opened. Mr. Otway replied that they should strike a rate. Now, it was perfectly well known to many of their Lordships, that this operation of striking a rate in Ireland, was not like striking a rate in England, on account of the subdivisions of property, and the number of occupations in the former country, where there was consequently great difficulty in collecting it. The advice, therefore, as far as regarded the immediate relief of the poor, was ridiculous. He told Mr. Otway, with respect to opening the workhouse, that until he told the guardians how the poor were to be fed, he (the Earl of Lucan) could not consent to it; because, if it were merely a question whether the poor should starve within or without the House, he would rather that it should be out of the House. He (the Earl of Lucan) also observed, with respect to striking a rate, that the guardians conceived that it would be unjust and impolitic to strike a new rate, while a large proportion of the old rate was outstanding; and that the having done so on a former occasion, had, in their opinion, deterred the people from paying. The first thing to be done, was to collect the rates which were due; and if he (the Earl of Lucan) had been able to remain in the country, he was satisfied they would have been paid. The noble Lord to whom he had alluded (Viscount Duncan), seemed anxious to know the present condition of the Castlebar union; and he could inform that noble Lord that the board of guardians was dissolved; but before there could be a paid board, which the noble Lord seemed anxious for, a second board must be dissolved. What the noble Lord's object was, he did not know. Perhaps the noble Lord was looking out for the honourable dignity of paid chairman to a paid board. One was scarcely prepared to be lectured by a Scotchman on a question relating to the grant of relief. He did not believe that in Scotland there was such a thing as a workhouse; but, at all events, this was not a topic for a Scotchman to lecture any other person on. Instances of the most niggardly relief were to be found in Scotland. He believed that the noble Lord and his hon. Colleague, had greatly mistaken the feelings of their constituents. They seemed to rival each other in abusing Ireland, and the Irish proprietors. Now, he (the Earl of Lucan) did not think so ill of the constituency of Bath, as to believe that to be the way to gain their good will. The vilification of Ireland, and the misrepresentation and misconstruction of every act of the Irish landlords, would not secure, he believed, to those gentlemen their re-election at the ensuing contest. He (the Earl of Lucan) was prepared to admit that some of the proprietors in Ireland—though he could scarcely call them proprietors—had not done their duty; but he could state confidently that the general body of landed proprietors in that country were making every possible sacrifice, and exerting all their energies in order to cooperate with the Government in affording relief to the people. He must take this opportunity of observing, that he very much lamented that the tone and language which were constantly used towards Ireland, and the people of Ireland, by the friends and supporters of the Government, did not meet with discouragement from the Government. He was convinced that when the calamity which now afflicted Ireland had passed away—and God knew when it would pass away—the language and conduct to which he referred, if it were continued, would awaken a feeling of enmity, of animosity, and of detestation, that could not fail to lead to consequences the most disastrous.

Earl GREY could assure their Lordships that he was not going to advert to what a noble Friend of his in the other House of Parliament had said, whose speech had called forth the observations of the noble Lord who had just sat down. He would not do so, first of all, because he could not help thinking that this practice of answering in one House what was stated in the other—and that not even under that sort of veil or disguise which used, in former times, to be thrown over such a proceeding—but directly and avowedly, as if it was a speech from one side to a speech from the other side of the same House of Parliament—he could not, he said, help thinking, that this practice was most inconvenient, and calculated to lower the credit of both Houses of Parliament. But there was another reason why he would not advert to the speech in question, which was this, that it did so happen that he had not read the speech of the noble Lord the Member for Bath, which had caused the observations of the noble Earl opposite. But he did think, and he rose for the purpose of saying so, that the censure which he had so unsparingly dealt upon a person whom he (Earl Grey) believed to be a most meritorious servant of the public, had been altogether uncalled for, and was most unjust. The noble Lord had spoken in very severe language of the conduct of Mr. Otway, the assistant poor-law commissioner, for having brought forward against him charges which the noble Earl treated as calumnious and unfounded. Now he (Earl Grey) must say, that having read the papers which had been referred to, and having also heard the speech of the noble Earl who had just sat down, he was bound most unwillingly to admit—and with great pain to himself, but he was bound to state his honest and sincere opinion—that Mr. Otway's censure of the board of guardians of the Castlebar union was, in no one point, and in no one respect, more severe than the circumstances justly required. He did not believe that Mr. Otway had applied any of his expressions to the personal conduct of the noble Earl; he had no doubt himself that the noble Earl opposite had been guided in his conduct by a sincere desire to do his duty to Ireland, and to that part of the country in which his estate lay; but by the noble Earl's own statement—he wished to go no further than that—it did appear that the gravest censure ought to be passed upon the members of the Castlebar union board of guardians. The noble Earl had stated that he did not mean to hold himself responsible for the proceedings of that board; and he (Earl Grey) begged to observe that the censure fell, in the correspondence of Mr. Otway, upon them exclusively, and not at all upon the noble Earl. Now, without going into the frightful details of this dreadful case, there were two or three facts which he thought conclusively established that censure of the board of guardians, and that the measure recently adopted by the Poor Law Commissioners dissolving that board, was imperatively required. What were the facts that were admitted? First of all, that during a period of the most appalling distress, the workhouse of the Castlebar union, which ought, under such circumstances, to have been filled to the very last corner in which the poor could be placed, was not allowed to be filled, or nearly filled, with the distressed applicants to nearly the number of persons it was intended to accommodate; that admission which might have been granted, was positively refused; and, further, that for those who were admitted into the house, provision of the most scandalous and inadequate kind was made. It was admitted that during a portion of the last winter and the autumn, the inmates of the workhouse were not supplied with provisions, with clothing, or bedding, in the manner in which they ought to have been, and which the law made it the duty of the board of guardians to take care should have been done. But he was told that the reason of that was, that there were not funds; that the board of guardians deeply condoled with all the misery, but that they were totally unable to raise funds to relieve it. Now, under such circumstances, the board of guardians ought, in attempting to exculpate themselves, to show that due efforts had been made to raise the rates, and to place funds in the hands of their treasurer to meet those expenses which by the law they were bound to incur. Now, upon that point, what was stated? The noble Earl who had just sat down, had himself told the House that a very considerable amount of arrears were due from solvent landed proprietors. The great fault of the board of guardians was, therefore, in their allowing such a state of things. He (Earl Grey) thought that no hesitation could be felt upon the subject—the fault was entirely that of the board of guardians—they had the remedy in their own hands—they might have dismissed the rate-collectors and appointed new ones. It was their duty to take care that the rate was properly and efficiently collected; but, more than that, why was no new rate struck? Application was made, and recommendations were addressed, over and over again, to the board of guardians by the assistant poor-law commissioner, that a new rate should be struck, but without effect. Why, the noble Earl himself, in the statement which he had just made to the House, had mentioned one instance, on the 21st of October, when a new rate was distinctly recommended.

The Earl of LUCAN: The 1st of November.

Earl GREY: On the 1st of November, he meant. If their Lordships would look over the papers before them, they would see that the Poor Law Commissioners had two or three times repeated their recommendation that a new rate should be levied, but without effect. The noble Earl—

The Earl of LUCAN: Recollect this defence of mine is more in the nature of a personal defence than of that of the board of guardians.

Earl GREY: He wished to make no personal charge whatever against the noble Earl; it was only his character of chairman of the board of guardians which was inculpated. Well, then, he (Earl Grey) contended that a new rate ought to be struck. They had the power of doing so. Those who had had any experience in the administration of the poor law in this country knew very well that the ordinary and constant practice was, in distressing times, to have rates repeatedly levied. He remembered perfectly that in 1842—that period of extreme distress—new rates were levied frequently in the same year, each rate being larger than the preceding one; that persons, by the levying of those rates, were continually driven from the class of ratepayers to that of rate-receivers, and the rate became more and more difficult to collect. But it was not a reason for declining to impose the new rates, to say that the ratepayers were not able to pay. When it was found that certain parties could not pay the rate, a new rate was levied, and those that were able to pay were compelled to pay the required amount for the relief of the poor. Their Lordships would recollect the great efforts that were made during the last great distress of this country for the relief of the poor. Now, before the Castlebar board of guardians could take shelter under the excuses which they had made, they should have exerted themselves as proprietors had done in this country for the relief of the poor. Now, he found a very remarkable fact stated in the correspondence before the House, and which was not denied. It was stated therein that the workhouse in the Castlebar union was opened in August, 1842, but that two rates only had been struck since that period. The first was struck on the 2nd of October, 1842, to the amount of 1,061*l.*; and the other in July, 1845, to the amount of 3,362*l.* The greatest difficulty had been experienced in the attempt to strike the last rate: it was not until after repeated and urgent remonstrances on the part of the Commissioners that the rate was struck. Well, then, it thus appeared that in this district, in which many individuals of great wealth were resident, during two consecutive seasons of very great distress but one rate had been struck, and that the rate only amounted to little more than 3,000*l.* Now, he happened to remember that during the years 1840 and 1841, when great distress prevailed in such towns as Stockport, when he represented in the other House of Parliament the town of Sunderland, the owners of property were rated at 20*s.* in the pound for the relief of the poor. What a contrast did the 3,000*l.*-rate only, struck at the Castlebar union, show! He doubted whether the rate at Castlebar amounted to 3*s.* in the pound; and that was the only rate that had been struck there for a period of some years; and it further appeared, by the noble Earl's admission, that even that rate had not been efficiently collected even from solvent parties. Now, he (Earl Grey) asked their Lordships whether, under circumstances like these, they could assert that Mr. Otway's language with regard to the board of guardians was unduly severe? The noble Earl seemed to throw great blame upon Her Majesty's Government for not having come forward to the assistance of the board of guardians. Now, he asked how, with these facts before the House, would the Members of Her Majesty's Government have been justified in so coming forward? Was it not clear that when the conduct of the board of guardians had been condemned, if Her Majesty's Government had come forward to aid them, it would have been a direct encouragement to those boards of guardians which were not disposed efficiently to perform their duty, and a discouragement to those who had made very great efforts to relieve the distressed in Ireland? for some of the boards, he was glad to admit, had by some means or other raised the money that was required, and did keep their workhouses as full as they would hold. But he contended that if Her Majesty's Government had come forward in defence of the board of guardians, it would have been a direct encouragement and a premium for misconduct; and he contended that Mr. Otway was not only justified in doing what he had done, but that it was his positive duty to express the opinion which he did as to the conduct of this board of guardians. He could not sit down without saying one word upon what fell from the noble Earl who sat close to him (Earl Fitzwilliam). He (Earl Grey) did not happen to be in the House at the commencement of public business that evening, and therefore did not hear the commencement of his noble Friend's speech. But he heard him comment upon the statements which had been made with respect to the number of legal processes which had been served in the west of Ireland—statements which were to the effect that those processes had a connexion with the number of Irish immigrants into Liverpool. Now, he (Earl Grey) was bound to say, that he believed there was a considerable connexion between those processes and the number of immigrants. From what he had been told, he did believe that a very large number of persons had not waited until they were forced to leave their properties by these processes, but had converted what little effects they possessed into money, and had emigrated from Ireland to Liverpool. That was the statement; it was a very natural one, and he believed that their Lordships would find it to be strictly correct. But what he principally wished to refer to was an observation which the noble Earl had made in connexion with those statements, and which he was convinced he had made inadvertently. The noble Earl said that those statements were evidently intended to indispose the public mind in England towards the Irish people, and to prevent England doing its duty to Ireland. Now, considering who made that statement, namely, a right hon. Gentleman in the other House of Parliament, and a very near friend and relation of his own, who was utterly incapable of any such conduct, he felt persuaded that when his noble Friend used the word "intended," he must have done so inadvertently; if otherwise, he (Earl Grey) most indignantly, on his part and on his own, disclaimed any such intention. But it was his right hon. Friend's most imperative duty not to be deterred by the painful nature of the facts and statements which he had to make to the House—it was his duty, considering his responsibility for the financial administration of this country, to state all those important facts which might come within his knowledge, and which had an important bearing upon the question which was then under discussion. It was stated by the noble Earl (the Earl of Lucan), and the expression was cheered by his noble Friend who sat at the head of the bench near him (Earl Fitzwilliam), that Her Majesty's Government had not discouraged, as they ought to have done, language inculpating the landlords of Ireland.

EARL FITZWILLIAM (and several other noble LORDS): Hear, hear!

EARL GREY deeply regretted to hear his noble Friend again adhere to that statement; but he thought if any Gentleman would take the pains to read carefully the papers which had been presented to Parliament—to read the volume which he held in his hand—to read the series of papers relating to the conduct of the boards of guardians, the boards of works, and the commissariat—if he would take the trouble to read through the two volumes then on the Table of the House, he (Earl Grey) thought that he would find that Her Majesty's Government had, under the circumstances in which they were placed, done much to throw a shield of protection over the proprietors of Ireland, and to save them from the censure which had been cast upon them. He (Earl Grey) would, however, say this, that that man was no true friend, either to the proprietors or to the population of Ireland, who, in the fearful state in which the country was now placed, would conceal from them the truth. The truth, disagreeable as it might be, must be spoken; for it was better that they should know the truth now, than that, some months or years hence, they should suffer from the consequences of present circumstances. His noble Friend well knew that Ireland could not remain for any considerable time in a situation dependent upon the assistance of England; that she must help herself; that she must put forth her own strength and energies; and that she must not look constantly to this country; for if she did so, the time would come, and speedily, when public opinion in England would be far too strong for any Ministry, no matter of whom it was composed, and when this system must cease. In many instances, the proprietors of Ireland had nobly done their duty; but he (Earl Grey) must repeat, what he had before stated, that this was by no means uniformly the case. There had been much inexperience and want of knowledge — a failure on the part of all ranks in Ireland to assist and co-operate with the Government, as they ought to have done, in endeavouring to surmount this period of severe affliction. This was a truth of which he (Earl Grey) was painfully convinced, and, entertaining such a conviction, he deemed it his duty to avow it. But at the same time, he would appeal to their Lordships, and to those who had watched the progress of the debates in the other House, whether any Member of the Government had used one word in censure of Ireland, without expressing the pain with which he uttered such language? whether they had not gone as far as truth and their consciences would allow them to do, in defending and upholding what had been done by the people of Ireland? and whether they had not gone as far as their duty to the empire at large would permit them, in asking Parliament to be most liberal and generous in the relief of Irish distress?

LORD MONTEAGLE said, that the noble Earl who had just sat down, had not, in the whole course of his observations, addressed himself to the charge of which the noble Earl (the Earl of Lucan) had complained—a charge, by the way, which was one of the most cruel and unjust that was ever contained in a "blue book," whether of that House or elsewhere, against any individual. The noble and gallant Officer would have been less than a man if he had submitted to be held up to public obloquy in the way in which he had been, without coming forward to do justice to himself. The noble Earl who had just sat down, had most truly said that it was extremely inconvenient to refer in one House of Parliament to the proceedings of the other House; if the old usage of Parliament required, that the Members of either House should abstain from noticing each other's debates, the old usage of Parliament also required that if personal imputations were intended to be cast upon any man, he should receive notice of such charges, in order to be prepared for his defence. The Government should not allow any correspondence or documents to appear in the "blue books" without having previously inquired into the truth of the charges which they contained. There were several documents and private letters which ought never to have found admission into a Parliamentary "blue book." In the publication of them, the Government had been guilty of great injustice to the parties charged—charged as they had been without having the slightest opportunity of rebutting the calumnies of the officers of the Government. He regretted that the noble Earl who had just sat down had omitted to clear the noble and gallant Officer (the Earl of Lucan) from the imputations that had been made against him. Why did he not state to the House, that the noble Earl had not only paid the whole of his rates, but likewise been the main support of the poor in his district, and advanced funds to the Castlebar board of guardians for the purpose of enabling them to keep open the workhouse in that district? The noble Lord had said that he did not mean to impeach the noble and gallant Officer's personal conduct; he merely found fault with his conduct as chairman of the board of guardians. Why, would any one assert that if his noble Friend's conduct, as chairman, was impeached, his individual character was not injured at the same time? The noble Earl had said that Her Majesty's Government had thrown their shield over the proprietors of Ireland; but he (Lord Monteagle) could not allow that observation to be made without telling his noble Friend, and without telling the Members of Her Majesty's Government, that he, for one, believed, and he spoke in the name of those who were better connected with Ireland, that they did not require their shield. Let their actions be their only defence. But if Her Majesty's Government felt it necessary to extend their benevolent and sympathetic shield over them, he must say that the most ungenerous thing which they could do was to tell the people of England —"We have extended this generous shield over the misconduct of the Irish landlords." He would much prefer to have a distinct and clear statement of the charges that they had to bring against them. What was called "evidence" against the Irish landlords, had been put in the "blue books," without affording those that were charged the least chance of a reply. Such conduct was inconsistent with the first principles of justice. Evidence ought not to be received by mere officials, and submitted to Parliament by Her Majesty's command, without affording an opportunity of defence to the individual whose character was involved. Charges were made in these blue books against some of the most humane and praiseworthy officers in the kingdom. Those charges were of the gravest kind; they were to the effect that those officers had hallooed or incited a turbulent mob to commit assassination, although they were themselves magistrates bound by oath to preserve the peace. He most deeply regretted that such statements should have been printed in the "blue books," without affording an opportunity of reply. Statements had been also printed in them with respect to that man who had rendered such signal services to the people of Ireland—who was one of the most excellent men of modern times—he meant Father Mathew. The letters of that gentleman, which were strictly private and confidential, and never intended for the public, were inserted in the "blue books" without sanction. He thought more care should have been exercised in preparing such matter for publication; but, at the same time, he willingly bore testimony to the zeal, industry, and benevolence displayed by the Treasury, and particularly by Mr. Trevelyan throughout the correspondence.

The Marquess of WESTMEATH, after the eloquent speech which had been addressed to their Lordships, would not rise to trouble them, were it not for one point on the subject of ejectments which had not been sufficiently touched on. When an accusation went forth to the world, and remained uncontradicted, it often took such a deep root in the minds of people as to make it very difficult to remove the false impressions arising from it. It had been stated by the noble Lord (Earl Grey) that the ejectments issued in the county of Mayo against certain persons had driven them from the country, and that they had emigrated to Liverpool; but it ought to be known that the persons who had so left the country, had carried with them what money they possessed—money which would have paid their rents; they, at the same time, omitting to give up the possession of the tenements they held. The very circumstance of persons having acted in such a way, showed a great dishonesty of principle. What could be more so than individuals to leave the country, still holding possession—a procedure which threw a great deal of trouble on the injured party in obtaining possession of property thus deserted? If persons of such a character left the country with money in their pockets, and presented themselves elsewhere as objects of compassion, such conduct should not be attributed to the proprietors of that soil on which they had resided, and which they had deserted.

BREWING FROM SUGAR BILL — DISTILLING FROM SUGAR BILL.

The EARL of CLARENDON laid two Bills on their Lordships' Table—the one the Brewing from Sugar Bill, which had been read the first time on Friday last; the other the Distilling from Sugar Bill, which was only now received from the House of Commons. Considering that the two Bills were pretty similar in character, as well as in their provisions, probably their Lordships would consider both together. Last night it was conceded that they might be read *pro formâ*, allowing the discussion to proceed when the Bills were in Committee. He hoped, before going into Committee on those Bills, to be able to prove to their Lordships that their provisions conferred only an act of justice on their West Indian colonies, without inflicting any injury on the agricultural interest. In times like the present, when grain was scarce and food high, the measures before their Lordships could not be looked upon as wholly inoperative, as by increasing the means of subsistence the means of relief would be also increased.

LORD STANLEY: It is quite true an arrangement has been entered into that no discussion should take place on the second reading of these Bills. At the same time I thought my noble Friend (the Earl of Clarendon) would have on this occasion abstained from stating the grounds on which it was proposed to maintain and support the principles of those Bills. If those Bills had been brought in for the objects stated in the concluding observations of my noble Friend, namely, for the relief of the present distress, and if that view had been wholly dwelt on, I think it would not be necessary to enter into the subject; at all events it might be done very slightly. Had it, I say, been a temporary measure, to meet a temporary case, like that introduced on a similar occasion in 1804, there might be no necessity very strictly to scan its principles; but under the cover of its being applicable to a temporary exigency, which at this time exists, provisions have been introduced which may affect the various commercial interests of this country—the interests of producers of various kinds—the colonial sugar growers—the foreign slave sugar growers, as well as many others. Where interests so various will be affected by these Bills, there can be no doubt that they ought not to be passed without full consideration. I may say they are not measures of a temporary, but of a permanent character. Entertaining those views, I object to the course now adopted, in bringing in those Bills to be read a second time, without affording an opportunity of offering any objections to what must appear to be their manifest tendency. As regards these Bills, there should be a fuller inquiry than if they had been in their nature only temporary. Unless, therefore, the Government shall consent—and which may be done without giving any impediment to the Bills—to refer them to the consideration of a Select Committee of your Lordships' House, I shall take the opportunity, on Friday, after hearing my noble Friend's statement, to move that the two Bills be referred to a Select Committee; and on that Motion I shall take the sense of this House.

The EARL of CLARENDON said, that if their Lordships desired that he should make a statement, he was perfectly prepared to enter upon it; but he thought that it would be better to adhere to the original arrangement of not entering, at the present time, into the discussion. The reason why Her Majesty's Government (not under cover of the temporary distress, as the noble Lord suggested) made the Bills of a permanent character, was, that a pledge to that effect was given to certain interests in the course of last Session. As to his noble Friend's proposal, to refer these Bills to a Select Committee, he could assure him, that if he looked to the Bills before the House, he would find that they were very simple in their details, and that there was nothing new in their principle; for the introduction of sugar into breweries was not now first adopted. The two Bills, too, had been passed through the House of Commons without objection to their principle. Even the Scotch distillers did not object to the principle, but only desired that the same drawback that was allowed in the case of malt, should also be allowed in the case of rum. He fully believed that the noble Lord did not desire to create delay; yet it was difficult to say to what extent evidence might not be taken, or to determine that there would not be delay. Upon the same precedent there would be scarcely a fiscal or a financial measure that might not be subjected to the same ordeal. It was, therefore, with great regret that he said he should feel bound to oppose the Motion of which the noble Lord had given notice.

Lord MONTEAGLE asked when the Rum Duties Bill might be expected in their Lordships' House. He was of opinion it might be referred to the same Select Committee.

The Earl of CLARENDON: That Bill had been delayed very much against the intentions of the Chancellor of the Exchequer, from causes which they could not control. He could not, therefore, tell when it would be before their Lordships; but he did not think the three Bills could be considered together.

Lord STANLEY: I should say that these Bills are brought forward with a view to the mitigation of the existing distress (and when I used the words "under cover," I did not mean any offence); the ground, therefore, on which the Bills were brought forward, was not on account of any pledge that was given during the last Session, but they were brought forward to remedy existing distress; and that such was the case, was perfectly clear from Her Majesty's Speech from the Throne, in which Her Majesty said—

> "It will be your duty to consider what further measures are required to alleviate the existing distress. I recommend it to you to take it into your serious consideration whether, by increasing for a limited period the facilities for importing corn from foreign countries, and by the admission of sugar more freely into breweries and distilleries, the supply of food may be beneficially augmented."

These very Bills were brought forward in pursuance of that recommendation in Her Majesty's Speech. They were brought forward as a portion of those measures which were to be submitted to our consideration to "alleviate the existing distress."

Earl GREY said, that it was perfectly true that there was a pledge given to the West India interests, when the sugar duties were under consideration, that those matters which concerned them should be looked into; but it was also true, that that could be done in such a way as to alleviate the existing distress, as there was no doubt that such would be the tendency of substituting sugar for grain. In point of fact, he believed that the measure was one which could not be inoperative in a season of distress, and which made it important that it should pass with the least possible delay.

Bills read 2ª.

House adjourned.

HOUSE OF COMMONS,

Tuesday, February 16, 1847.

Minutes.] Petitions Presented. By Mr. Barnard, from Greenwich, for Alteration of the Law with respect to the Registration of Voters.—By Mr. J. O'Connell, from Waterford, for Repeal of the Union with Ireland.—By Mr. J. O'Connell, from Dublin, for Abolition of Ministers' Money (Ireland).—By Mr. Pole Carew, from Rev. William Augustus Morgan, for Alteration of the Law respecting Parish Clerks.—By Mr. Tufnell, from Clergy of the Metropolis, for the Suppression of Sunday Trading. —By Mr. Chaplin, and Sir John Trollope, from Attorneys and Solicitors of several places, for Repeal of the Duty on Attorneys' Certificates.—By Mr. Forster, from several places, for Reduction of the Lighthouse Dues.—By Dr. Bowring, from Lancaster, and Mr. John O'Connell, from Kilkenny, for Reduction of the Duty on Tea. —By Sir R. Pigot, from Bridgenorth, for Repeal of the Window Duty.—By Mr. John O'Connell, from Galway, respecting the Baronial Sessions of the Islands of Arran. —By Mr. Wakley, and Lord John Russell, from several places, in Favour of the Ten Hours Factory Bill.—By Mr. Brown, from Liverpool, against the Ten Hours Factory Bill.—By Mr. Corry, from County of Tyrone, for Relief of Destitute Poor (Ireland).—By Mr. Crawford, from Somersetshire, for Facilitating the Transportation of Grain and Provisions to Ireland.—By several Hon. Members, from a great many places in Ireland, for Alteration of the Poor Law (Ireland).—By Mr. Brotherton, and other Hon. Members, from several places, for Repeal or Alteration of the Poor Removal Act.—By Sir B. Hall, from Marylebone, against the Railways (Ireland) Bill.—By Lord G. Bentinck, from Inhabitants of the Counties of Down, and Armagh, in Favour of the Railways (Ireland) Bill.—By Mr. Grogan, from Westmeath, for the Formation of Seed Corn Depôts (Ireland).—By Mr. V. Stuart, from Waterford, for the Reclamation of Waste Lands (Ireland).

CASTLEBAR BOARD OF GUARDIANS.

Mr. P. SCROPE, seeing the Secretary for the Home Department in his place, rose to put to him the questions of which he had given notice. He wished to preface them by one or two observations. The first was, that he made no accusation against the guardians of the Castlebar union. The present was not a fitting time for doing so, although it might be desirable hereafter to institute an inquiry in order to ascertain which body was in fault, the guardians or the Poor Law Commissioners. His object was to ascertain the existing state of the law, and the prospect of its amendment in future. He based his questions on these indubitable facts—that the Castlebar board of guardians for several months past had closed the doors of the workhouse against the destitute poor—that during the season of calamity, from the failure of the potato crop, they had so kept them closed. To these might be added the fact that some thousands of persons had recently been landed at Liverpool from that district, from which it appeared clear that the guardians, by closing the doors of the workhouse, had succeeded either in starving paupers to death, or in driving them to the shores of this country, and thus clearing the district of them. His questions were these:— Whether there be at present, and if so, what legal obligation or responsibility upon boards of guardians in Ireland to relieve the destitute poor in their unions? If there be, whether any proceedings by indictment or otherwise, are about to be instituted by direction of Her Majesty's Government against the board of guardians of the Castlebar union, for having for several months past denied relief to numbers of poor, as to whose absolute destitution no doubt could exist, and closing the workhouse against them, although not half full, whereby it has happened that very many of such destitute poor persons have died of starvation, as the verdicts of numerous coroners' inquests held within the said union attest? If no effective legal responsibility nor obligation to relieve the destitute rests at present on Irish boards of guardians, then he asked whether Her Majesty's Government intended to introduce some effectual obligation of this nature into the Poor Relief (Ireland) Bill, whereby security shall be taken against such denial of relief to the destitute poor of Ireland of all classes in future? He asked these questions, because, in the Bill before the House, as it now stood, he saw no security for giving relief to the destitute poor, and because he thought the public had been much deluded upon this point. He hoped to see some more stringent provisions introduced, since they were absolutely necessary.

Sir G. GREY would give the hon. Member for Stroud the best answer in his power. His first question was, whether at present there were any, and what, legal obligation upon guardians in Ireland to relieve destitute poor? In reply to it, he could not do better than to read the section of the Irish Poor Relief Act which applied to the subject:—

> "That when the Commissioners shall have declared any workhouse of any union to be fit for the reception of destitute poor, it shall be lawful for the guardians, at their discretion, but subject in all cases to the orders of the Commissioners, to take order for relieving and setting to work therein, in the first place, such destitute poor persons as by reason of old age, infirmity, or defect, may be unable to support themselves and destitute children; and, in the next place, such other persons as the said guardians shall deem to be destitute poor, and unable to support themselves by their own industry, or by other lawful means."

That was the only section of the Act constituting the responsibility of guardians employed to administer the law. It was to be observed that they were in all cases subject to the orders of the Commissioners. The proviso at the end of the fourth section ought also to be brought to the attention of the House:—

> "Provided that nothing in this Act contained shall be construed as enabling the Commissioners, or any of them, to interfere in any individual case for the purpose of ordering relief."

What might be the construction of the section with reference to the circumstances that had occurred, was a legal question which he did not think his hon. Friend (Mr. P. Scrope) would require him to answer; he could only say that he believed the Commissioners had exercised towards the guardians of the Castlebar union all the power of which they were possessed, in order to compel them to the performance of their duty. Having failed in compelling them, the Commissioners had proceeded on the powers vested in them by law, and had dissolved the board. This was such answer as he could give to the second question. And the third was, whether Ministers intended to introduce in the Bill upon the Table some effectual obligation to grant relief to the destitute poor, whereby security might be taken against the denial of such relief in future? To this question he had to answer, that the hon. Member would find a clause upon the subject in the Poor Relief (Ireland) Bill applicable to such paupers as were destitute, or were disabled so as not to be in a condition to maintain themselves. The second clause contemplated such a contingency; it provided that a right to out-door relief should exist, the workhouse being full, or not available for the reception of such paupers. As to the further extension of that obligation, and the policy of doing so, that point could best be discussed when the Bill was in Committee.

Mr. FRENCH hoped the House would allow him to put a few questions. Was the right hon. Baronet aware that the guardians of the Castlebar union, in September last, found it impossible to collect the rates? Was he aware that the chairman of that board, the Earl of Lucan, took upon himself to repay all the expenses of the workhouse for one month? Was he aware that during that month every pauper was admitted into the workhouse? Was he aware that at the expiration of the month, a resolution was passed by the board of guardians, and transmitted to the Poor Law Commissioners, stating the impossibility of collecting the rates, and that they must either borrow the money, or obtain it in some other way? The guardians at the same time informed the Commissioners, that they were ready to admit into the workhouse the greatest number it was capable of holding. Was the right hon. Gentleman aware, finally, that for a fortnight the Commissioners took no notice of the letter, and then only in general terms? Since then the entire expense of the workhouse had fallen upon the Earl of Lucan.

SIR G. GREY begged to refer the hon. Member to some papers he had already laid upon the Table, and to others about to be presented. At the same time he was bound to say, that he had heard from Mr. Otway—and there was no reason to doubt the correctness of the information—that there was no period at which any large amount of outstanding rate in the union of Castlebar, and in other unions in Mayo, might not have been collected. On receiving that report of Mr. Otway, he had transmitted a copy of it to Lord Lucan. A letter from Lord Lucan would be found among the papers he intended to present shortly, in which his Lordship stated, that a large portion of the rate would have been collected if the board of guardians had done their duty. He (Sir G. Grey) regretted that the hon. Member had not given notice of his questions; if the hon. Member had done so, he would have furnished himself with an extract from Lord Lucan's letter.

NAVIGATION LAWS—APPOINTMENT OF THE COMMITTEE.

MR. RICARDO moved that the following Members constitute the Select Committee on the Navigation Laws: Mr. Ricardo, Sir Robert Peel, Mr. Mitchell, Mr. Alderman Thompson, Mr. Villiers, Sir Howard Douglas, Admiral Dundas, Mr. Lyall, Mr. M'Carthy, Mr. Thomas Baring, Mr. Hume, Mr. Liddell, Mr. Bright, Sir George Clerk, and Mr. Milner Gibson.

On the name of Mr. Bright being moved,

MR. WAWN objected. It was unusual to appoint two Members from the same place; and though Mr. Bright was not yet elected for Manchester, he was a candidate there, and Mr. Milner Gibson was already serving for the borough. He moved that Mr. Bright's name be omitted.

MR. FERRAND said, that the hon. Member for South Shields had been caught in his own trap. He had objected to one Committee, and had obtained a worse. Eleven Members were now upon it who had voted for free trade in corn, and by such majority the navigation laws would be doomed. The country could have no confidence in the Committee; and if the hon. Member (Mr. Wawn) persevered in his resistance to the name of the hon. Member for Durham, he would divide with him, even if they were followed by no other Member.

LORD J. RUSSELL said, that it seemed to him a very fair Committee. There was no force, as far as he saw, in the objection. The House could not be surprised that the Vice President of the Board of Trade should be a Member of it; and the fact that Mr. Bright might become a candidate for Manchester, was no disqualification, the hon. Member being so well qualified in other respects.

MR. FINCH remarked, that Mr. Bright was known to entertain a very strong opinion on the navigation laws. The most important interests were involved, and it was essential to obtain an impartial Committee. His experience of Parliamentary Committees led him to think their decisions not worth sixpence; the Orange Committee, on which he had sat, after fifty-one days of inquiry were not able to make any report. In this case, the numbers, as could be seen beforehand, would be ten to four, so that the report might as well be drawn up at once without further trouble.

MR. LIDDELL explained that he had refused to sit on the Committee as first named, but had consented to sit as one of the amended list. He thought that the list of names would be a guarantee to the country of a fair investigation of the subject.

MR. BROWNRIGG observed, that his name had been left out in the amended list, though he had supposed, from having been engaged in trade and shipping for a quarter of a century, and from not having pledged himself by any vote, that he was, at all events, not disqualified to form a sound and just decision. He hoped he should not be considered as belonging to either of the classes mentioned by the noble Lord, who had, according to him, made up their minds already as to which side they would take in Committee; but that he should receive credit for coming to whatever decision might seem best to him on the merits of the evidence alone, in any case to which he might be appointed.

MAJOR BERESFORD, in reference to the remarks of the hon, Member for Boston (Mr. Brownrigg), begged to explain that the selection of the Members of his side of the House had been referred to him in the first instance, and that he had named five hon. Members, of whom the last was the hon. Member for Boston. When he had done so, however, the hon. Member for London (Mr. Lyall) came to him, and put forward his claim to serve on the Committee, as having been chairman of the previous Committee on the same subject, and also as being Member for the city of London. It would have been odd indeed if he had refused, after such an appeal, to nominate the hon. Gentleman. He had considered the hon. Gentleman's health too bad to serve; but as the hon. Member himself differed from him on that point, he could not but accede to his request.

MR. VERNON SMITH said, he must object to the system of selecting Members to serve on Committees of that House, as described by the hon. Member for Harwich (Major Beresford). To send down persons of stiff opinions and strong prejudices on one side or other, was not the way to arrive at the truth. It was men like the hon. Member for Boston who should be placed on these Committees; and the reason why so many Committees of that House had not arrived at any result on the question for which they had been selected, was, in his opinion, altogether attributable to the system of appointing Members of a strong bias on either side.

Amendment withdrawn. The Committee appointed.

SUSPENSION OF PUBLIC WORKS (IRELAND).

MR. SMITH O'BRIEN moved the Order of the Day for the Adjourned Debate on the Railways (Ireland) Bill, in order that he might have an opportunity of putting some questions to Her Majesty's Government. He was sorry to protract the discussion of the Railway Bill; but the matter on which he sought information affected the lives of many of his fellow-countrymen. He alluded to the system of punishment, adopted under the sanction of Government, for outrages committed by any person on the public works in Ireland. Whenever any outrage took place in a district where those works were being carried on, the works were immediately stopped, and the population engaged on them thrown out of employment and left to die. Now, he wanted to know if it was the intention of the Legislature, in passing these relief measures, that Government should be entrusted with such powers? He must say it was the most barbarous kind of punishment ever enacted by any civilized country. His attention had been called to the subject before, principally in the county which he represented; and, at the risk of delaying the House, he would read an extract of a letter he had just received from a Roman Catholic archdeacon in reference to it:—

> "For some days before the 22nd of January, 288 men, boys, and women, were employed in making some improvements on a line of road between the cross of Kilmichael and the cross of Ballyscanlan. The distance between those two points is nearly two Irish miles. On the day mentioned a young man, the son of a small farmer, named Hedderman, and the overseer on the line, was suddenly surrounded by eight armed men, he being then nearly at one extremity of the line of road, about a furlong from the village of Ballyscanlan. These men had their faces blackened, for the purpose of disguise, and the overseer was, as may be supposed, greatly frightened. I had his own account of the adventure, and he stated that he was more particularly afraid of one of the ruffians, who was armed with a bayonet. He got off cheaply, however, all the circumstances considered, as only one of the party assaulted him, giving him a blow behind the ear with the butt-end of a gun, and inflicting a slight wound, or rather a scratch. A demonstration of the power of doing mischief, with a view to intimidation, seems to have been the object of these fellows, who then went off across the fields. Now the line being, as you may recollect, two miles long, and the men grouped in gangs of eleven along its whole length, a cross or turning being also interposed, it followed that nine-tenths of the working people knew nothing whatever of the attack, which occupied but a few minutes, until the whole matter had passed over. Some four or five of the workmen hastened to his assistance, from motives of private friendship; but such assistance would have availed but little against eight men fully armed, if these latter had really intended to inflict serious injury. I do not, of course, mean to palliate this outrage, which was still of almost a bloodless character, and the very first attempt upon overseer or officer in this large barony, where many hundreds (at present over 5,000) have been constantly employed since the public works began. It is certain that those fellows who attacked the overseer were not persons living in the parish or neighbourhood, though it is likely they were instigated and suborned by some few among the working people.

This guilty complicity was (there is reason to think) confined to a few, as the overseer was generally popular with those employed under him. Such are the details of the transaction of the 22nd of January—a transaction which proved to many hundreds, who had not the slightest share in its guilt, such as it was, a source of suffering, compared to which, death by the sword or the bullet would have been mercy. You are no doubt aware, that by an order issued, I believe in October, the Board of Works were authorized to dismiss the men employed on any public work on which violence or menace should be exhibited against overseer or officer. This order, as understood and carried out by the officers of the board, seems arbitrary enough. I know not whether it be law, but assuredly it is not justice, to confound the innocent with the guilty by the indiscriminate infliction of a puuishment of great severity. It cannot be just to punish the misdeeds of one or two, or even a dozen, by the torture of hundreds. The entire 288 employed on the Kilmichael and Ballyscanlan line were dismissed on the instant, and a list furnished to the relief committee, with the view of excluding them from any employment whatever on the public works; and this is the 20th day of extreme and frightful sufferings of nearly 900 persons, those 288 namely, and the members of their respective families, dependent on them for their sole means of subsistence. This terrible and protracted torture, as I may call it, is inflicted on them, avowedly, to extract from them evidence with a view to identify and convict the authors and actors in the attack on the overseer. Now, 850 of those so tortured, at least did not see the offenders in question. Of the 288 actually employed, some were small boys, some were women, destitute widows and others, who have no other resource than that of sitting on the road-side breaking stones under the sky of January. Torture by the rack was, I believe, held good and lawful in the days of Lord Strafford. Torture by the triangles was resorted to at a later period to obtain evidence against offenders; but even then it was required that there should be reasonable grounds for believing that the parties subjected to the torture could really give the evidence sought for, if willing to do so. In the parish of Ballingarry, and in the year of grace 1847, the slow torture of famine has been inflicted on old men, children, and women, to compel them to reveal that of which it was utterly impossible that one out of every fifty among them could have any knowledge whatever. There were among the 288 two blind pipers, who are of course doomed to starve because they refuse to give ocular testimony. When, after a week's fast, it was proposed in the committee to raise a subscription amongst the members present to supply the immediate wants of those wretched people, the inspecting officer, as he is termed, opposed it on the ground that it would be yielding to intimidation. Now, those despairing but patient victims had exhibited no menace whatever, save an humble request to the relief committee to send them to the workhouse. This 'saving counsel' was, however, adopted by the committee—I suppose on the good old principle, *ne respublica detrimentum capiat.* It was thought a desirable thing to inspire those wretches with a sentiment of respect for the law for the time to come. But I have my doubts if this object was promoted greatly by placing in every one of six score hovels a starving father seated in Ugolino mood and attitude near his fireless hearth, and watching at the same time the gradual emaciation of the faces of those he loved with all the warm affection of an Irishman. He was not the more likely, I think, to respect the laws from the utter unconsciousness of any guilt which could call down as punishment the frightful doom of misery inflicted on him and his. Moreover, as 40*l.* reward was offered for information, and as 40*l.* in this season of dearth would be to a poor man as the treasures of Peru, there was no reason to hope that what such a bribe could not effect, would be elicited by the protracted pangs of hunger. I am, however, delighted that no information was obtained, and trust, whenever any one in authority will dare under our free laws to apply torture to extort evidence, that he will meet with the disappointment he deserves, as well as with the contempt and execration of every man of just and upright feeling."

He must say he thoroughly and entirely coincided in the sentiments expressed by that letter. It was monstrous to punish a whole population with death, for that was the effect of the system—and the reverend gentleman stated that some of those dismissed in the case he alluded to had died in consequence—because one or two or half a dozen persons committed a crime for which they might be imprisoned or transported. He had witnessed the operation of the system in Clare, where five hundred families had been reduced to famine in consequence of the suspension of the works in the neighbourhood; and the question with them was whether they would adopt a course of plunder, which their patience and respect for the law fortunately forbade, or to lie down and die. He had seen the inspecting officer, and spoken to him on the subject; and it was his opinion that if the suspension of the works had been carried on any longer, several families must have died. He rose to ascertain whether the Government and the House of Commons would sanction such a barbarous mode of punishment as that at present in use in Ireland.

MR. LABOUCHERE regretted the hon. Gentleman had not given him notice of his intention of bringing the particular case of the stoppage of works to which he alluded to the notice of the House; as in that case he certainly would have informed himself as to the circumstances, and would have been prepared to meet the statement; but with respect to the general policy of the Government on the subject, he had no hesitation in stating to the House what had been the course they had adopted in Ireland. It was undoubtedly true that the Lord Lieutenant thought it absolutely necessary, with a view to protect public servants and officers engaged in a most difficult and arduous duty, and to defend their lives and persons, to lay down as a rule, that whenever outrages were committed in the neighbourhood or on the line of any public work, under circumstances which rendered it probable that any labourers engaged thereon were cognizant of it, the work should be suspended till information had been given respecting its authors. But he confessed he had heard with astonishment the hon. Member for Limerick expressing his concurrence with the sentiments of the letter he had read, and declaring that where an outrage had been committed on a public officer in the discharge of his duty, he for his part rejoiced that nothing had transpired which could lead to the discovery of the offenders. He would not yield to that hon. Member in feelings of deep sympathy for the dreadful amount of human suffering which he knew was endured by large classes of the people of Ireland; but he thought it consistent with that deep sympathy, and with an earnest desire to relieve that distress, to say at the same time that he believed it to be the duty of the Government in Ireland to protect their servants and officers engaged in the public service for the employment of the people; and the Lord Lieutenant also believed the only effectual way of protecting them, was to lay down this rule and to act upon it. He was happy to say the result had fully proved the wisdom of the course adopted by the Irish Government, and that in many instances it had led to the discovery of the perpetrators of those outrages. In a very recent case, when an attack was made on an officer of the works by persons who calculated on the assistance of the labourers engaged on it, the latter, so far from aiding them, rose up and defended the officer; and when the offenders endeavoured to escape, pursued and endeavoured to capture them. He was fully prepared to justify the conduct of the Irish Government, and he could not agree in the views of the hon. Member on this subject. He held it to be the duty of every Government to defend the lives and persons of gallant and unprotected men engaged in a dangerous public service; and he did not believe the House of Commons, to which the hon. Member had appealed, would think the Government of Ireland had not done their duty in adopting the only course which, concurrently with the opinion of every person conversant with the subject, could effect that object, and preserve the lives of their officers, by giving the labourers on the works a deep interest in protecting the lives and properties of the officers engaged upon them. He could not answer the particular case referred to by the hon. Member, as he had not given him notice of it; but he thought it right to make that statement as to the general policy of the Government in such cases.

Mr. HUME said, that of all the subjects which could be introduced to the House, that was the most important, for if there were one evil more than another which, if allowed to continue, would create disorder in Ireland, it was that of not being able to follow and apprehend a culprit. They saw every day accounts in the papers of murders of the most barbarous nature committed in cabins and houses, and yet there was no possibillity of the detection of the murderers. He thought that so far from blaming the Irish Government for the course they had adopted, the House of Commons should express a favourable opinion of their firmness, and of the course by which alone order could be restored in Ireland. He entirely concurred with the right hon. the Secretary for Ireland in his remarks, and regretted that any Member belonging to Ireland should have said he rejoiced, where an outrage had been committed, that the culprit had not been discovered. He thought it would be a most unfortunate thing if such a sentiment were to go forth to the country without explanation. He hoped the Government would stand firm on this point, and show the people of Ireland that it was the duty of every one of them to see that justice was carried out, and to discover every offender against law and order to the proper authorities.

Mr. SMITH O'BRIEN begged to make some explanation as to what had fallen from the right hon. Secretary for Ireland. He had not given notice of his intention to put the question, as he only wished to ascertain the views of Government generally on the question. With respect to the phrase used in the letter of his correspondent, he thought the meaning was, that he rejoiced, not because the law had not been vindicated—for he believed his correspondent to be as anxious for the maintenance of the law as any one could be—but because none of the persons dismissed the works had been induced, by the powers of torture, to do that which they would not have done from their sense of duty and justice.

Viscount CLEMENTS hoped he might thank the Government for the determination they had shown on this point. He thought it would have been utterly impossible to have carried on the works without even more extraordinary confusion than existed at present, if the Lord Lieutenant had not adopted that rule; and he did not believe the life of any officer engaged on them would have been worth a day's purchase without some such regulation.

Mr. STAFFORD O'BRIEN said, as he had, early in the progress of the system, made a communication to the Irish Government on the subject, and had urged on them the propriety of adopting this very course, he would not shrink from sharing the responsibility of it. He entirely concurred in the propriety of the system, and in the sentiments of the right hon. the Secretary for Ireland. Unless the officers of the public were protected, they could not be got to lay out the works, and then the people must be left to starve. The only hope for Ireland was, the investment of capital; and capital would not be invested unless life and property were secure. Instead of regretting the course taken by Government, he boldly stood up to take share in the responsibility of recommending it.

Mr. W. R. COLLETT begged to say, that he employed a great number of labourers in Ireland, and that when any attack upon any person was made, or when any outrage was committed, he always suspended employment, and continued the suspension until the delinquent was discovered and given up. He had found that system work with the best results; and he sincerely hoped, that, as a measure of precaution, the Government would act in the same way.

PERSONAL EXPLANATIONS.

The CHANCELLOR of the EXCHEQUER: I hope I may trespass on the House very shortly with a few words by way of explanation, and with the view of setting the House right as to the statement of an hon. Member, calculated, however unintentionally, to mislead them. They will agree with me, that it is essential the facts should be correctly stated; and I hope I may state, without any vanity, that it is essential to the dignity of the office I have the honour of holding, that I should not be left under the imputation of having made statements to the House founded on misconception. I stated, in the course of this debate, on the authority of a person well acquainted with railways, that only 25 per cent of the whole outlay was expended in the employment of labourers, and that thirty labourers per mile were all that were employed on a railroad of ordinary character. Last night the hon. Member for Shrewsbury stated, first, that I said only twenty-five men per mile would be employed; and, secondly, that he had seen, or had held communication with, the gentleman from whom I had received my information, and that that gentleman stated to the hon. Member, that I had entirely misconceived the information he had given me; and that what he stated was, that twenty-five men per mile were employed permanently on the railway, and not engaged in making it. I now hold in my hand a letter from the gentleman in question, and who gave me this information. He is of great rank and experience in the construction of railways. I will take the liberty of reading three very short paragraphs, which will, I think, show I did not misunderstand the meaning of his information:—

> "Of the total cost of a railway, 25 per cent, at the outside, is what is spent on the ground in labour. I find from a large number of results, that the average number of labourers employed in the construction of a railway of ordinary character, may be taken at twenty to thirty men per mile for a period of two to three years."

Now, Sir, I took the maximum number here stated, that is, thirty men; and, assuming the datum of the noble Lord's calculation of 1,500 miles of railroad, I stated that the number of men for whom he would find employment would be 45,000, at the rate of thirty men to the mile. The hon. Member for Shrewsbury went on to say, I received this information from the gentleman who had communicated with him, and that I had entirely misconceived it. I hold in my hand a letter from the same gentleman whose information I have already quoted. It was dated subsequently to the speech of the hon. Member last night, and was received this morning, I will just read the passage:—

> "I certainly never called upon Mr. Disraeli, or spoke to him, or communicated with him in my life. My information to you was fact."

I have no business to do more than to put this fact correctly before the House; but I think it will be evident to the House, first, that the person who wrote this letter did not communicate with the hon. Member for Shrewsbury; secondly, that he did not tell him I had entirely mistaken the information I had received; and, thirdly, that I did not incorrectly state the information I had received. If the House were to hear the writer's name, they would admit he was a competent authority, and that the statement I made was fully borne out by him. I beg to assure the hon. Member for Shrewsbury, that I do not suppose he stated a fact he did not believe; nevertheless, after what I have stated, I think it will appear the hon. Member has been somewhat misled or imposed upon; and, if he will forgive me for making a suggestion to him, I venture to recommend that for the future he should not make statements on which he cannot very accurately rely, and the authority of which he has not carefully sifted.

Mr. DISRAELI: I can assure the right hon. Gentleman, that if I used any expression in, I will not say the heat of debate, for there was no heat of debate, but in the haste of speaking, last night, which caused the right hon. Gentleman the slightest annoyance, I very sincerely regret it. I entertain for the right hon. Gentleman that deep respect which his character, his talents, and his high position cannot fail to command. But the right hon. Gentleman has fallen into a mistake with regard to what was stated by me yesterday evening, and I will at once explain and correct that mistake. I stated that the individual whose authority I quoted—a gentleman of great experience and of peculiar knowledge on scientific subjects—a gentleman, not known of course to all, but known to very many Members of this House, informed me that he supposed from the speech of the Chancellor of the Exchequer, that he had been the person who had communicated to the Government the information used by that right hon. Gentleman. This individual had given some information to the Government; and when he read the speech of the right hon. Gentleman, he believed that the facts stated by the right hon. Gentleman were deduced from his information. He therefore made a communication to me, and he stated to me, "I suppose that I am the person to whom the Chancellor of the Exchequer alluded; and if I am, the Chancellor of the Exchequer has completely misunderstood the information I sent him." But all this confusion and misunderstanding arises from using anonymous communications in this House. If the right hon. Gentleman had given us, as I always take the precaution to give the House, the name of the writer of every document and opinion which I bring forward, we should not be led into such mistakes as these. But when we know the number of persons who communicate directly or indirectly with the Government, not perhaps with persons in as exalted a position as the right hon. Gentleman, but with persons in a very high position, I can readily understand twenty or thirty or even fifty of these anonymous individuals going about London, and believing that they are the authorities whose statements the Minister has repeated to the assembled Parliament. And the House will do me the justice to recollect that what I said was, not that I had seen the individual who was the authority, but that I had received a communication from an individual, a highly-respectable gentleman, who believed himself to be the authority cited by the Chancellor of the Exchequer. A nice, but a complete and perfect, distinction. Without the letter, however, which the right hon. Gentleman has read, his declaration alone would have been quite sufficient that the facts were as he had originally stated them. But the Chancellor of the Exchequer, with every possible courtesy, communicated to me his intention to offer this explanation. I, therefore, called upon my authority, who laboured under the delusion that he was likewise the authority of the Chancellor of the Exchequer; and in the most gallant manner he permitted me to use his name. If the House requires it, I shall be willing to give it; but as this gentleman is a professional man, and as this circumstance might possibly place him in an invidious position, perhaps the House will not demand it. Nothing would induce me to publish it, but an eager desire to satisfy the House of the correctness of my statement. It is, however, agreeable to my feelings, and it will be satisfactory to the House, that the statement was not made to me alone, but was made in the presence of my noble Friend the Member for Lynn, who is quite ready to confirm what I have stated. But the right hon. Gentleman has read me a lecture as to the necessity of sifting the authorities upon which I make statements to this House. I don't think it was needed. I take all the precautions in my power to ascertain the accuracy of every fact I may happen to mention in this House. But if persons in high places—whose every word has its weight—will seek to influence our opinions by anonymous authority, these equivoques will occasionally occur.

EJECTMENTS IN MAYO.

VISCOUNT CLEMENTS wished to put the question of which he had given notice to the Chancellor of the Exchequer in reference to the statement made by the right hon. Gentleman on Friday evening last, respecting the ejectments in the county of Mayo. The right hon. Gentleman had said that the landlords and their agents were pursuing a system of ejectments, under processes for rent, to an extent hitherto unknown in the country—that at the quarter-sessions of Ballina, 6,400 processes were entered, of which 4,000 were at the suit of landlords for rent. He was sure the right hon. Gentleman would not intentionally make a mis-statement; but it was desirable the right hon. Gentleman should inform the House upon what authority this statement was founded, and whether any papers connected therewith would be laid on the Table of the House.

The CHANCELLOR OF THE EXCHEQUER had made the statement on the authority of a person well acquainted with Mayo, and with the facts of this particular case, and who wrote from Galway to the effect mentioned. The communication had been made to his right hon. Friend the Secretary for Ireland, and he would vouch for its correctness. If the noble Lord wished for any returns confirmatory of that communication, there would be no difficulty in finding how many processes had been issued at the Ballina sessions for rent. [Viscount CLEMENTS: But the processes for ejectment?] He had not said processes for ejectment. The words he had used were "a system of ejectment by processes for rent." He had said that in this way a great many unfortunate persons had been driven from the occupation of land, and reduced to a pitiable state of destitution.

RAILWAYS (IRELAND)—ADJOURNED DEBATE (THIRD NIGHT).

The Adjourned Debate was resumed by MR. BERNAL OSBORNE, who agreed most fully in the recommendation which had been given by the right hon. Gentleman the Chancellor of the Exchequer, that in proceeding to discuss a question which affected alike deeply the interests of England and of Ireland, they should endeavour to steer clear of all party politics and political temptations. He regretted that the right hon. Gentleman had not in his practice borne testimony to the value of the recommendation; and he was sorry, also, that many hon. Gentlemen, neglecting that excellent advice, had in their several speeches entered upon topics and considerations totally unconnected with the subject really before the House. The Bill could be opposed only on its own grounds; and, even with all the ingenuity and ability—and both were great—of the hon. Member for Mayo (Mr. D. Browne), it had been found very difficult to give a sectarian and political turn to this question of Irish railways. The hon. Member looked in vain for an objection against the Bill, as viewed solely by itself; and he had, therefore—though it was to be confessed very indistinctly—connected the construction of earthworks with the increase of the franchise, and had sought to persuade the House that the people who would be engaged in laying down sleepers, would afterwards be occupied in rooting up the Catholic Church. He could not see the inference, nor could he admit that, because the noble Lord (Lord G. Bentinck) had voted for Catholic Emancipation, therefore he would be disposed to convert a railway communication to any unorthodox purpose. There was no doubt that, if the noble Lord succeeded in carrying his Bill, he would, when the lines were ready, offer premiums for Conservative stokers, and breaksmen of improved Protestant principles. A similar sort of reasoning had been adopted on the occurrence of a similar calamity in this country. After the great fire of London, and when the whole of this vast metropolis was suffering from distress, the sympathizing people of Ireland sent over a contribution of twenty thousand fat cattle to support the once fat citizens of the capital city. But, the historian recorded the fact, so high did party feeling run in those days, and so prejudiced were the citizens, that though many of them were famishing, it was with the greatest difficulty they were brought to touch the steaks of such decidedly Popish bullocks. They had improved in some respects since those days, and few would now object to the scheme of the noble Lord on the supposition that he might enable people in Ireland to travel too fast for the convenience of the Establishment. He found fault with the noble Lord the First Lord of the Treasury, not because he had manifested a disposition to oppose the Bill, but because he had not given to the House any intimation of its being his intention to bring forward any measure for the extension of railroads in Ireland. Had any such promise been held out, he should have felt justified in giving his vote against the Bill of the noble Lord the Member for Lynn; but, in the absence of any such desirable declaration, and in the face of the poor law which was about to be forced on the Irish people, contrary to the opinion of the Irish Members and landlords, and which would tend to sweep away all property, whether in lands or money, unless some plan was adopted to absorb the surplus labour of the country; he could have no hesitation in giving his support to the principle of the present Bill. He did not pledge himself to all the details. He thought the noble Lord (Lord G. Bentinck) would have discreetly consulted the spirit of the House had he mentioned some sum less than 16,000,000*l.* It was the plan he approved of as a plan, original and complete, independent of the sum by which the borrower might be benefited, and the lender not injured. He did not support the measure merely because as a measure of expenditure it would give relief. Unless the money were well spent, so as to insure a permanent and not a temporary relief to the people of Ireland, and a profitable investment for the capital of this country, the outlay of money would be a direct loss. He could not perceive the excellence of the logic in use among some hon. Members and some right hon. Gentlemen; he did not see the necessity of relying so strictly on the rules of political economy as to wait for the development, in Ireland, of that private enterprise which had resulted in England in the existing magnificent system of railway communication. What might be a sound rule when applied to England, might be a very absurd rule when applied to Ireland. The noble Lord the Member for the West Riding (Lord Morpeth) who—now ranging the Woods and Forests, met nothing to disturb his composure more formidable than the Wellington Statue—had, some time ago, drawn a definable distinction between the political economy of the two countries. The noble Lord, speaking in 1839 on Irish railways, said—

> "The question for us to consider is, whether what is perfectly consistent with political economy, when applied solely to England, is supported with equal force of reasoning when applied to Ireland? I will not quarrel with the rule as applied to England, possessed of all the advantages and resources which advanced wealth and civilization can supply; but the case is different with Ireland, which cannot be said to be prodigal of means or bursting with opulence."

This was a point upon which the noble Lord should be consulted by his Colleagues. The right hon. Gentleman the Member for Portsmouth (Mr. F. T. Baring), when Chancellor of the Exchequer, once declared he was astounded at the opinion declared by the right hon. Baronet the Member for Tamworth, that it was not right for a Government to interfere with private speculation. The speech then made differed greatly in its doctrines from the speech of the right hon. Gentleman the other night; and he was glad to see that the right hon. Gentleman was no longer in danger of being astounded at any such opinion. He thought for the State to become a great money-lender was much better than to become a profligate spendthrift. The policy of the State always had been to lend money on a great scale. Since the Union, in less than fifty years, the sum of 18,000,000*l.* had been lent to England and Scotland, of which 6,000,000*l.* only had been repaid; and 9,000,000*l.* to Ireland, of which so much as 7,000,000*l.* had been repaid. The hon. Member for Inverness-shire (Mr. H. J. Baillie) had pointed out the conduct of the Scotch proprietors in a time of distress, and had suggested that the Irish landlords should pursue the same course. Now, he thought that Scotland had got a fair share of public money, and had repaid very little of it. Between 1770 and 1839 they had voted, for the Caledonian Canal, for the construction of Highland and military roads in Scotland, the enormous sum of 1,221,308*l.* The hon. Member had given them an account of the exertions of the landed proprietors in the Isle of Skye, and had asked why the Irish landlords were not equally energetic and equally zealous. Why, the Irish landlords were doing all they could do. Did the hon. Member know that a noble Lord connected with Waterford, and with a rental of 60,000*l.* a year, had spent a considerable proportion of his income in relieving the people on his property? That noble Lord, the Marquess of Waterford, had laid out 5,000*l.* in purchasing a stock of Indian meal, and had taken measures to give employment to every man on his estates. Was the hon. Member aware that every proprietor in the county of Waterford was acting in the same manner; that the ladies were sacrificing their jointures and selling their jewels to buy food for the destitute and the starving? This was the fact; and it would not be denied that the noble Marquess, whose name was never heard of but in connexion with deeds of charity and benevolence, was an honour to his country. There had been a time when the people of Paisley came to that House for pecuniary assistance; and it should not be forgotten that those who supported the proposition then made for their immediate relief were the Irish Members. He disliked the distinction which had been drawn between Irish and Scotch Members; they all in that House represented one common country. A great deal had been said about the security offered by these railways in Ireland. The gallant Officer the Member for Renfrewshire (Colonel Mure) had termed the application of capital to their construction a flagrant immorality. The gallant Officer had spoken for the first time as a legislator, and was, therefore, not to be criticized harshly; but he should have reflected on the effect of his words, before he declared that all the railways in Ireland were ruinous affairs and bubble transactions. If the gallant Officer enjoyed the possession of shares in the Dublin and Kingstown Railway, and were in the habit of receiving the dividend on that line, he would probably have passed over the flagrant immorality without notice, and spoken less vehemently of the bubble transaction. The hon. Member for South Lancashire (Mr. W. Brown) had informed the House, that capitalists were invariably reluctant to invest money in any Irish undertaking. But the reason was, because there was never any security given that the undertaking would be legitimately carried out. Give that security by the interposition of the State, and there would be no want of capital. The Limerick and Waterford Railway had been referred to. The sum of 78,000*l.* had been advanced to that railway company under a Treasury Minute on the baronial securities. Three months ago he was at a presentment sessions which voted 20,000*l.* towards accomplishing the Limerick and Waterford Railway; but from that day down till last week nothing had been heard of this grant of 78,000*l.* The Chancellor of the Exchequer had endeavoured to prove that money lent by Government for the promotion of railways, would not give employment to the labourers of the district. Now, he had received, three days back, a letter from a leading director of this railway, which, as it was antagonist to the statements put forth by the Chancellor of the Exchequer, he would read an extract from it to the House. The writer was answering the argument that pauper labour would not be employed on the line of railway. He said—

> "The argument of the noble Lord (Lord J. Russell) was counteracted by the following fact: that a bargain was made with the Board of Works to take the labourers from the relief committees—that these labourers were set to work by task, each barony providing its own labourers—and that the consequence was, that the cripples and others of that class were left to finish the Government roads."

This was a complete answer to the objection of the noble Lord, afterwards repeated by the Chancellor of the Exchequer, that in no case would railways employ the paupers of a barony; but, instead of foreigners, as they were called in Ireland, being brought to work on the Limerick and Waterford Railway, the paupers of the district were employed. The Chancellor of the Exchequer had, in the course of his speech, taunted the Irish Members with objecting to the measures of Government, but with proposing no plans of their own. Now, he did not see what right Government had to look to them for the proposal of measures; but he might remind the right hon. Gentleman that, at the presentment sessions which were held in Ireland, they were continually suggesting plans for the adoption of Government, and that Government was as constantly rejecting them. Why, it was not till after that admirable body of men, the Quakers, had introduced the system of soup-kitchens, and had them in operation for four months, that Government, adopting their plan, introduced their Soup Kitchen Bill. He did not think, however, that this Soup Kitchen Bill would have the effect of transferring the labour of the country, with anything like effect, to the cultivation of the fields. His opinion was, that the only way in which the noble Lord would insure a future harvest in Ireland was to till all the farms under ten acres; and it was not to be forgotten that when the spring labour of the field was over, no work could be expected in Ireland after the month of April; so that unless some great measures for the purpose of giving employment were introduced, the people would have no alternative but to lie down and starve. He must say, that he thought the Chancellor of the Exchequer was rather too apt to rest his case on anonymous documents, and was too ready to use such as fell into his hands to crush the landlords of Ireland. He had spoken of a sum of money collected in Queen's county, and had referred to the small amount subscribed by landowners; but who could tell what the landowners of

Ireland, with the people dying everywhere around them, had done in the way of relief? Would it not have been better if the Chancellor of the Exchequer, instead of making attacks on the landlords of Ireland, had told the House what had been done by them in 1846, when 100,000*l.* was subscribed? He would not go into the statement made by the right hon. Gentleman, as to ejectments in the county of Mayo, after what had been said by the noble Lord (Viscount Clements) in the course of the evening, and especially as he did not see the right hon. Gentleman in his place. [An Hon. MEMBER: The Chancellor of the Exchequer is unwell.] He was sorry to hear that the Chancellor of the Exchequer had retired in consequence of being unwell; but he was not surprised that he should have been so after making such extraordinary statements. The right hon. Gentleman ought to have been, and no doubt was, well aware of the difference between ejectments and processes; but he had, nevertheless, stated that there were upwards of 6,000 ejectments in that county. Now, he had been told by the lord lieutenant of the county that the large number of processes served were issued not by any landowners, but by middlemen, for payment of conacre rents; and that so far from Lord Lucan having made a wholesale ejectment, he denied that he had done so in any one instance. To illustrate the slowness of the steps taken by Government for the relief of Irish distress, he would read the following letter, dated August 22, 1846, from one of their own officers, who was sent to the district of Skibbereen. He said—

> "I really am—and with heartfelt sorrow I say it—afraid that I shall be obliged to look out for another place; for whatever is done by Government on public works will be too late, after people are driven to desperation by hunger. The whole country is nothing but a slumbering volcano. It will soon burst."

The same officer, in a previous letter, says—

> "As to a few relief committees, in a corner here and there, they are utterly inadequate to the sufferings of hundreds—thousands—nay, millions of starving people. You might just as well attempt to feed the people with a puff of wind from a bellows. I defy any one living to exaggerate the misery of the people—it is impossible."

He did not wish unnecessarily to attack Government, but he thought them greatly to blame in not calling Parliament together as soon as they knew that distress like this prevailed in the country. The hon. Member for Shrewsbury had so well hit off the arguments brought forward by the Chancellor of the Exchequer, that to the greater part of them he felt it unnecessary to allude; but there was one observation of the right hon. Gentleman which deserved especial notice. He solemnly told the House to take care what it did in this matter, as it was a most mischievous project to raise a loan in a time of peace. A time of peace! Could any man present scenes more shocking or terrible than those which famine now produced in Ireland? And yet they were told by the Chancellor of the Exchequer—when the deaths caused by famine were greater and more horrible than they could be in war—that they should be careful not to raise a loan in a time of peace. The Government was very ready to apply the rules of political economy, when they squared with their own prejudices; but when things ran contrary to their own ideas, away went all the calls of political economy, and Gentlemen who strained at a gnat were ready to swallow a camel. It would not be difficult to make it plain that the plan of the noble Lord (Lord G. Bentinck) was much more in accordance with the principles of political economy, than were those brought forward by the noble Lord at the head of the Government. The latter noble Lord gave money for the purpose of promoting the employment of the people; but that employment was to be at the option of those proprietors who chose to avail themselves of the Government proposals; but the noble Lord (Lord G. Bentinck) introduced a measure by means of which money would be given for the direct employment of the people, so that this was a scheme more in accordance with the principles of political economy than were the plans of the Government. No sane man would doubt the permanent benefit which must flow from that measure all over the country; for it was a result of the construction of railways not only to encourage trade, but even to create towns in the districts through which they passed. If he wanted any scheme better calculated than another for the reclamation of waste lands, he would say, extend the means of communication through those lands. As to the consequences of the vote he was about to give, he did not share in the misgivings of some hon. Members. Some hon. Gentlemen said they were well inclined towards the measure of the noble Lord (Lord G. Bentinck), and were disposed to support it; but then the Ministry would go out. Now, he had not much experience in that House, but he had read in history of transactions similar to this; and these Gentlemen must be aware that all these meetings in Downing-street, and all the talk about resignation, were just parts of the stage business—of the tricks of office. All Ministers were in the habit of playing this game:—

> "They often took leave, but seemed loth to depart."

He was surprised that the right hon. Gentleman the Recorder of the city of Dublin, should have had so many nervous misgivings as to the Ministry resigning. He ought to know, from the experience he had acquired of Governments, that the Ministry could not go out—that the noble Lord might walk out at one door, but that most assuredly he would walk in at the other. He ought to know that this was just the old mode of applying the whip to bring up certain votes that would not, perhaps, be given except under threats of resignation. He had not taken a serious view of the state of Ireland, without coming to the conclusion of voting with the noble Lord (Lord G. Bentinck), because he thought his measure was the only one that was likely to ameliorate the condition of Ireland for the present, and to lay the foundation of future prosperity. He, for one, would not for a moment put the duration of a Ministry in competition with the existence of a people. The old spells of Whig and Tory were past: they had gone for ever. They could not now get up any feeling as to either Whig or Tory, or even Conservative. The charm was broken, particularly in Ireland, by the pressure of famine; and the people were united in one object—the salvation of the country. On the subject of railroads for Ireland, perhaps the House would wish to hear the views of the noble Lord (Lord J. Russell) in 1839. At that time the noble Lord said—

> "He could not imagine how any man was to suppose these railroads existing in Ireland, and used as a means of traffic, that no advantage was also to be derived from them in importing the blessings of civilization into that country." "Let it not be affirmed that, if this plan failed, of which, also, it might be said, that it was a plan which offered considerable advantages, and tended to the improvement and civilization of Ireland, it had been defeated by the prejudices of the assembly to which it had been submitted; and that a measure which chiefly affected the welfare and improvement of Ireland, he hoped would not be treated as the merest party question."

He re-echoed the sentiment of the noble Lord, that this should not be a party question. And as he preferred the salvation of the people of Ireland to the Ministry of the noble Lord, he should support the Bill now before the House.

COLONEL CONOLLY sincerely thanked the noble Lord the Member for Lynn for having introduced a measure of so impregnable a character—so perfect in all its details; and he felt quite satisfied that the position of his noble Friend had not been assailed with the slightest effect. It had been stated that 9,000,000*l.* had been lent to the Irish people, and that 7,000,000*l.* had been repaid, leaving 2,000,000*l.* unpaid. But it ought also to have been stated that there was every prospect of that balance being repaid. The Chancellor of the Exchequer had attempted to disparage the present measure by stating that everything which it proposed to effect had been proposed to be done by contractors for railways in Ireland for a sum of 5,000,000*l.* But the right hon. Gentleman had overlooked a remarkable circumstance, which was that the protection of the Government would call forth a large amount of capital, and that, consequently, there would be increased means of providing employment. Various statements had been made for the purpose of proving that the present was a project for benefiting contractors and railway speculators in Ireland, and that the feeding of the people was a mere pretence. He had no hesitation in saying that that was an imputation of the most calumnious description. He could only say that the sound judgment, the real discretion of the noble Lord the Member for Lynn, in maturing his measure, without admitting any interested Irish person into his counsels, did him great credit, and redounded much to his discernment and good taste. It had also been urged that the promotion of railways in Ireland would not relieve the destitution of the people. He was in a position to contradict that statement. Two railways, which could be seen from the windows of his own house, had been recently constructed; and it was a remarkable fact that, while other baronies were making presentments and calling out for relief, the four baronies in his immediate neighbourhood had had no sessions for presentment, and all that he had been asked for in the shape of charitable contribution was 10*l.*, in order to enable them to market for meal down, which had risen to a great price. Which then of the two measures should the House, under the circumstances, adopt—the measure of the Government, which would only go to keep alive the people for a short time, or the measure of the noble Lord, which, besides giving them immediate employment, would improve their permanent condition? Did they prefer giving money to a people in a state of exhaustion, to borrowing money for their permanent employment, with the prospect—he should say with the certainty—that the money would be repaid in a reasonable time? In his opinion the measures of the Government were merely palliative, and not at all commensurate to the evil; while that of the noble Lord the Member for Lynn was not limited to a three or four months' operation, but was of a permanent nature, would place the labour of the country on a steady industrious footing, and teach the people to rely on their own exertions. He had some experience of the people of Ireland, and he would advise the noble Lord at the head of Government not to persist in his plan for the reclamation of waste lands, but to hand over the money which he proposed to devote to that purpose (1,500,000*l.*) to the noble Lord the Member for Lynn. The Chancellor of the Exchequer had stated that the pauper population of Ireland were not fit for railroad labour. They had, however, recorded in a Parliamentary return the opinion of Sir J. M'Neill, an engineer of high character on that point. That gentleman stated that he usually found that in the first week the people had a hard fight to earn their wages; that in the second they were tolerably able for the work; and that in the third they were not only able but ambitious of undertaking task-work. That was, he thought, a sufficient answer to the right hon. Gentleman on that point. He denied emphatically that the money which was to execute the railways under the proposed scheme of the noble Lord, was to come out of the public funds; but private enterprise would be materially assisted by the plan of introducing railways into every part of Ireland; and there was not a single district of the country that would not be much benefited by the operation of the Bill of the noble Lord, one chief effect of which would be the perfecting of the links of the chains of communication which were broken at present. The hon. and gallant Member then went into many local details to show how the fisheries as well as the agriculture of the west of Ireland, would derive great advantage from such a comprehensive measure as that proposed; and contended that the traffic on railways would increase in a few years as much as the commerce of various seaports in Ireland, which had at present three or four steamers trading between them and Liverpool, which ten or twelve years ago had only one. The noble Lord the Member for London had said that this was the time to make a great many useful and important changes in the system of legislation adopted towards Ireland. Now he (Colonel Conolly) told the noble Lord and the House, that the measure by which such a system was to be commenced, was that of the noble Lord below him. In conclusion, he trusted that the noble manner in which England would show her readiness to come forward to the succour of Ireland in the hour of her distress, and manifest her disposition even to expend 16,000,000*l.* for that purpose, would prove a more lasting bond for the future union of the two countries than any other.

MAJOR LAYARD observed, that every one who was connected with Ireland, and every hon. Gentleman who stood up in that House as a representative from Ireland, was bound to feel (as he did on that occasion) most deeply interested in the measure now under consideration, and most sincerely anxious that his vote might be disposed of in such a manner as to promote the benefit of a country now unhappily labouring under such a dreadful dispensation of Providence. For his own part, he could declare unaffectedly, that he had given to this measure the most anxious attention; and he thanked the noble Lord the Member for Lynn for having brought it forward; for, in having done so, the noble Lord had so brought the subject under the consideration of the House, that he believed that Her Majesty's Government, though not now prepared to enter into the consideration of so large a measure, would, notwithstanding, perceive the necessity of giving their countenance and assistance, at some future time, to railway projects, which he considered would be highly conducive to the welfare of the country. He had heard with pleasure the able speech of the hon. Member for Shrewsbury last night; and had listened that evening with peculiar gratification to the clever statement of the hon. Member for Wycombe; but it did not require the talents of either of those hon. Gentleman to make him a sincere believer in the great and manifold benefits which would result to Ireland from giving work to her people, and spending money in the development of her resources. But both the hon. Members to whom he had alluded had been guilty of an inexcusable omission, in not having made any allusion to what was, after all, the most important consideration—namely, where the money was to come from. The hon. Member for Wycombe had quoted some passages from history; but he would take the liberty of recalling to his recollection the story of Queen Elizabeth and the mayor and common council of Warwick. When the Queen was entering that ancient place on one occasion, the mayor, accompanied by the members of the corporation, came out to meet her; and having enumerated twenty-nine reasons why the bells of the town had not been rung on her Majesty's approach, concluded by stating that the thirtieth reason was, that they had got no bells to ring. And so too, in the present instance, he was very much inclined to believe that one of the very strongest reasons why money could not be granted, according to the proposition of the noble Lord the Member for Lynn, was, that there was no money to grant. Hon. Gentlemen who had better means for knowing the financial circumstances of this country than he could be supposed to possess, had stated distinctly in that House, that, in the present state of the money market, there was no possibility of procuring so large a sum as that required by the noble Lord opposite—16,000,000*l.* [Lord GEORGE BENTINCK: We only require 4,000,000*l.*] He was aware that 4,000,000*l.* was the sum required; but that sum would be required every year for four years. He could very well understand that in seasons when there was not, as at present, an unusual pressure on the money market, there might be no great difficulty in procuring the necessary funds for such an advance; but, circumstanced as the country just at present was, he feared there might be very great difficulty indeed. They owed a debt of humanity to Ireland—of that there could be no question; and he was sure there was no man in that House who was not willing that it should be paid. But it certainly did appear to him that when they saw that Government had been doing their best to meet the difficulties of the case, the safer course would be to leave great commercial questions of this kind in their hands. He admitted that he was one of those who applied to the late Government for a loan at 3½ per cent for railway purposes; but then, the stipulations respecting the mode of advancing and repaying were very different from what they were in the present instance. The right hon. Gentleman the Lord Mayor of York had spoken in terms of high eulogy of the noble Lord's scheme, and had declared, that, even in the sale of the rails as so much old iron, some security for repayment might be found. The right hon. Gentleman had promised the benefit of his head to this proposition; but if he would give the benefit of his name to it in the money market, there would be a much better chance of repayment than any that could be realized by the sale of the old iron. He gave credit to the noble Lord at the head of the Government for his desire to carry them through this calamity; and he believed no man in the House would venture to say that the expenditure of money in Ireland would not be beneficial. It might be said, they were bringing forward small measures that would be of little use; but he referred to the results effected by the reduction of the quantity of corn allowed to cavalry horses; and he conceived, if the same course were adopted generally throughout the country, it would be attended with great advantage, and a supply of food for the sustenance of millions would be thus afforded. He also thought that with proper economy a considerable quantity could be saved in seed corn. There had been many attacks made in that House on Irish landlords. He thought, in many instances, they had been unjustly attacked, and that also, in many instances, they had been unjustly praised. There were many princely examples exhibited in that country by Irish landlords; and God forbid that he, having, while amongst them, experienced their hospitality and kindness, should refrain from bearing his testimony to their conduct. He wished to lay before the House the contents of a letter received by him from Ireland. The writer said—

"Dear Sir—As a member of the relief committee, I attended a meeting yesterday at Ballymoyla, barony of Slibargie, Queen's county, at which Mr. Cooper, of Cooper Hall, an excellent friend of the poor, presided as chairman. Having analysed the subscription list, we found that the non-resident landlords, possessing property of the amount of 25,587*l.* per annum, annually contributed to the relief fund 208*l.* or about 2½*d.* in the pound on their annual income; the resident landlords, possessing 4,550*l.*, contributed 105*l.*, and the clergy, farmers, and traders, subscribed 374*l.* There is, and has been, an appalling amount of misery in this district; 48 deaths from starvation occurred; four inquests were held on the same day, and the verdict in each case was—died from want of food. For two months we have been soliciting assistance from the lords of the soil, with

> all that zeal which the horrors we daily witness are calculated to awaken, and the result is stated above. The patience and meekness of the poor people under the chastening hand of Providence is without a parallel in the history of nations."

He would be happy to give the name of the writer of that letter to any hon. Gentleman who should desire to see it; and he had not the least hesitation in saying that the facts as stated in it were perfectly correct. He did not know the names of the gentlemen whose property the place is, and therefore he could have no feeling in referring to the matter, save the desire—which every man must experience—that those who do their duty should be known to the House, and that those who neglect their duty should be known likewise. He would give his support to an extended poor law, and had always been in favour of it; for he thought if such a measure were in operation, it would be the means of improving the condition of the country. He felt proud, as an Englishman, of the exertions made in this country to relieve the distress in Ireland; but he would also call the attention of the House to a letter received from Mr. Harvey, New York, in which the writer stated that he was happy to find that the poor labouring Irish in America were doing their duty by silently remitting their savings to their friends at home, from one pound upwards. It appeared from the letter, that the total sums remitted by them since the 1st of November, amounted to 150,000 dollars, or 30,000*l.*, and that the total sum remitted by them for the year, amounted to 650,000 dollars, or 130,000*l.* He was rejoiced to have the opportunity of reading such a letter as that to the House. He had heard the Government abused for not coming forward in the manner they ought to have done to assist the people; but he held in his hand a letter from a right rev. prelate (Dr. Healy), of Carlow, who bore honest and just testimony to the efforts of those who, in this fearful crisis, had administered to the wants of the people. He said that the Government authorities were making every exertion to relieve the poor; but no scheme that wisdom or humanity had as yet suggested, was able to avert the consequences of the visitation. The noble Lord at the head of the Government had, at the end of his speech, said that he saw no reason of despairing of Ireland. That speech would revive his (Major Layard's) hopes. He saw no reason to despair, so long as the noble Lord was at the head of the Government. A Whig and a Liberal Government had always been of advantage to Ireland, and he felt convinced that while the noble Lord was at the head of the Government, wise counsels would be given to the Sovereign, bold and energetic measures would be held out for their consideration, and a just but not overweening confidence in the vast resources of this country would guide the noble Lord. He trusted that, hereafter, his name in the page of history would be held up as that of one who had helped to raise beautiful but unhappy Erin to that station amongst nations which, from the fertility of her soil, from the vastness of her water power, and the richness of her mines, but, above all, the intelligence and generosity of her people (to which he had already borne his testimony), as well as their patience, of which they had given such convincing evidence in calmly waiting on Divine Providence in the midst of their afflictions, she was so fully entitled to hold; and he trusted that the present affliction, which was indeed heavier than any man could describe, would be eventually followed by years of tranquillity, prosperity, and happiness.

Sir J. WALSH said, that he had been an attentive observer of the course of that debate; and he could not think that his impression misled him in believing that the whole discussion had tended to satisfy doubts, to remove objections, and to raise the character of his noble Friend's Bill in the opinion of the House and of the country. One good, at least, might be confidently said to have resulted from that debate. He had gathered from the speeches of hon. Gentlemen on either side of the House representing Irish constituencies, that the Irish people had received that measure in the midst of their dire distress in a kind spirit, and that they considered it to be a bold, a comprehensive, and a generous effort on the part of a great party in that House to bring forward a project which might alleviate their sufferings, and sow the seeds of prosperity in their country. Even those hon. Members who were not ready to support by their votes the Bill of his noble Friend, had, in many respects, supported that Bill by their language. He would particularly instance the speech of the right hon. Baronet the Member for the Tower Hamlets (Sir W. Clay) last night; a speech more clear, more convincing, or which placed in a more striking light the advantages which the construction of railroads would produce in Ireland, it would have been difficult for any Member, however favourable he might be to the measure, to have made. It appeared to him that in the course of that debate many of those objections of detail on which the right hon. Gentleman the Chancellor of the Exchequer had rested the strength of his argument with so much confidence, had been entirely demolished. Before, however, entering into the merits of the question immediately before the House, he wished to call their attention to a few leading facts with regard to the present condition of Ireland, which ought not to be lost sight of. The potato crop in that country was, he believed, wholly destroyed. Would it be restored ? Was that root altogether extinguished ? Was that source of food to the Irish people altogether destroyed ? Was that a temporary or a permanent visitation ? There was much reason to apprehend that the potato, on which the whole agricultural population of Ireland depended, was destroyed. This population might be divided into two classes: the small farmer, farming from five to fifty acres; and the cotter, depending for his subsistence on the cultivation of his small garden. The operations of all these were carried on without the intervention of paid labour. The small farmer was generally enabled to carry on all the operations of his farm with the assistance of his family, and did not require, nor could he afford, to pay for paid labour. How were these cottiers to be supported, if their staple article of food should become extinct ? Whence would come the capital to enable the agriculturist to relieve himself ? The farmer could not supply it. Was then the landlord to supply it ? What would be said in England if the landlord was called upon to supply the capital which ought to be furnished by the tenant ? If the landlord were to furnish the capital required by the cultivation of the soil, who could doubt that it would be speedily lost ? The poor law was one of the remedies proposed as the panacea for the ills of Ireland. He would not go into that large question, but would venture to affirm that no poor law in Ireland could possibly meet the present emergency. Any poor law which should cast the burden of maintaining the whole famishing population of that country on the land, would entirely engulph the capital and destroy the property of Ireland, and after all the object in view would not be attained. Would they throw all the rate on the landlord, or partly on him and partly on the farmer ? He would tell them what was going on in Ireland with respect to the small farmer. The small farmer had no more potatoes than the cotter. He applied to be put on the public works; but was very properly refused employment designed only for the absolutely destitute. What happened ? He went home; he had no potatoes and no money. How was he to feed his family, and preserve them from starving ? He was stating no hypothetical case, but what he knew to be the fact. He was driven to make an inroad on his capital, and compelled to sell his cow, his yearling, or his horse that drew his car, or even his car itself, and not unfrequently was obliged to cripple himself by selling his small farming stock. Consideration would convince Ministers that this could not be rendered an available resource for the improvement of the Irish population, and for meeting their wants. Another device was the improvement of waste lands. He was sure that were Government to embark in such a speculation, it would be of all speculations the most desperate, the most hopeless. To carry out this scheme, two great ingredients were necessary—time and capital. It was impossible by any magic to transform at once the bogs, the wastes, and morasses of Ireland into fertile fields. It would be impossible thus to add to its resources in time to meet the existing emergency. Emigration had been suggested as another means of relief; and he regretted that the noble Lord at the head of the Government had passed this subject over in so cursory a manner, for he believed that a well-considered plan of emigration, as an auxiliary measure, promised a considerable alleviation of the distresses of Ireland. He might here mention the course pursued by a noble Lord, who was one of the best landlords in Ireland. That noble Lord had established an agent in Canada, who took charge of all the emigrants from his estate, and saw them properly located on their arrival. The most satisfactory accounts were constantly received from the emigrants, which were the means of inducing many of their friends to follow their example, and remittances of money were constantly made by the emigrants to their relatives at home. He thought this well worthy the consideration of the noble Lord at the head of the Government, the results of whose measures had not hitherto been such as to place them in very favourable contrast with those proposed by the noble Lord the Member for Lynn. He made no reproach against the Government, who certainly were called upon to meet a very trying emergency. Still he must remind them, that by their own admission, their first measure for the relief of destitution by employment on the public works had broken down; and he feared that the proposed substitute for it would equally break down under the weight which would be cast upon it. The Chancellor of the Exchequer had said he wished to take care that all the aid and assistance which England could possibly give, should be afforded solely to the relief of destitution ; but it would be wiser policy in England, and would tend more to lighten both her burdens and those of Ireland, if she would direct her best and most energetic efforts to prevent the people from becoming entirely destitute. If they should neglect to avail themselves of the agency of railroads, they would neglect the mightiest engine which the mind of man had yet fashioned out of the material world for a nation's prosperity. What were the objections urged against the plan of the noble Lord the Member for Lynn? The Chancellor of the Exchequer denied that it would, in the first instance, tend to the relief of destitution, and described the statements of the noble Lord as exaggerated, assuring the House that not more than forty-five men per mile would be employed on railway works; that Englishmen would be very generally employed instead of Irishmen, who would leave the country as soon as they had finished their work. This argument had been most fully met by the able speech of the hon. Member for Shrewsbury. There were, however, some other arguments which he might be permitted to urge. He would cite no anonymous correspondent, or rely on any doubtful authority. His authorities were the reports of the eminent engineer, Sir J. M'Neill, to the Great Southern and Western Railway Company, of which he was the principal engineer. In the third half-yearly report, dated September 20, 1845, Sir J. M'Neill stated that the works were executed, to a very great extent, by labourers of the country residing along the line, and that in no instance had he seen better or more efficient workmen; and that in the county of Kildare, especially, he found the labourers most intelligent, sober, and industrious; and he had no doubt that the same would be found to be the case in other districts. The amount of good that had been already effected in the districts where the works had been carried on, was much more than met the eye of a common observer. The habits of steady and constant work during the hours of labour, the efficient implements they were taught to use, and the effective manner in which they were set to work, the result of long experience acquired by the contractors and overseers, could not fail to confer a lasting benefit on the habits of the people. Scarcely an idle man was to be seen in any part of the country through which the line passed. The contractors, in the most praiseworthy manner, engaged almost any man who presented himself for employment; and the number employed amounted to 5,000, and 400 horses. In another half-yearly report, dated 20th March, 1846, he stated that the best feeling was manifested along the line by the labourers, who amounted to 25,000. He described the men as working contentedly and with good will; and, although totally inexperienced in that kind of labour, yet that when led by experienced overseers and gangers, they soon became excellent and efficient workmen. Then the report not only bore the highest testimony to the character of the workmen, but also expressed a conviction that the Irish labourer was very capable of being formed into an excellent workman for employment of that description. But that was not all; the report of Sir J. M'Neill entirely corroborated the calculations of his noble Friend (Lord G. Bentinck) with regard to the number of men employed in the construction of railways. The length of the Great Southern and Western and its branches was 220 miles; and 25,000 railway labourers, according to this report, were employed on the works. This number, divided by 220, gave an average of between 113 and 114 workmen per mile. But then complaint was made that the labourers employed were all able-bodied men, and not the infirm or impotent. Why, any employment to be profitable must be carried on through the intervention of able-bodied labourers; and surely the employment of able-bodied labourers must naturally, to a great degree, relieve the destitute of their neighbourhood, with whom they were connected by ties of relationship. Another objection that had been urged to the proposition of the noble Lord was, that it would be injurious to the existing lines of railway. Now, it was quite clear that the existing lines rather benefited than otherwise by an extension of the system; it would, therefore, be a benefit rather than an injury to the existing lines. It was equally certain that the English lines would be served by the extension of railways in Ireland, as they would be feeders to the Great Western, the North Western, and the Scotch and northern lines, which communicated by Portpatrick with the north of Ireland. It might probably be better, as had been urged, that these speculations should be undertaken by private enterprise; but if all their great works were left to private enterprise, there were many of them that would never have been undertaken. Let them take the case of Russia. Who would deny that if the line from St. Petersburgh to Odessa was carried out, it would be a great advantage to the whole of that empire, in promoting its trade and intercourse, and developing its resources; but if such an undertaking as that were left to Russian private capital, and Russian private enterprise, it would be left incomplete till the day of judgment. In France, partly in consequence of the great shock to credit which had been occasioned by the convulsions of the first Revolution, and partly owing to that pernicious law for the subdivision of property which prevented all accumulations of capital in the hands of individuals, private enterprise was almost entirely extinguished; and if the French Government had not stepped forward, and British capital also, the French railroads would never have been made at all. And yet he believed it would be admitted that no railroads paid better than those of France. In Canada they had constructed canals and other public works; and they had the public roads in the Highlands of Scotland, the Holyhead-road, and other great works to refer to, in which the Government had judiciously stepped forward, and contributed to their formation. They had been even on the point of coming forward, at least the East India Company was about to contribute 4,000,000*l.* sterling, for the formation of railways in India. So far as he understood, the main objections to the noble Lord's measure were of a financial nature. The hon. and gallant Officer who had preceded him, had said that it was utterly impossible for that country to obtain the necessary funds. He ventured to assert that no assertion had ever been made less founded upon fact than that. He felt satisfied that there would be no difficulty whatever in meeting the calls for these railways, if the country was only once convinced that it was necessary they should be made. Now, if the sole objection of the Government was as to the goodness of the security, he wished to know whether they would be satisfied if 3½ per cent could be satisfactorily secured to them? Hon. Gentlemen had doubted whether the proposed lines of railway would afford an adequate security for the interest on two-thirds of the capital at 3½ per cent, which the Bill proposed. Now, in this case he would argue, according to the algebraic formula, from the known to the unknown; and he would show from the Railway Traffic Returns an official document, published every week, that every railway hitherto opened or partially opened in Ireland, did, in fact, afford that security in the amplest manner. There were four lines of railway open and in operation in Ireland—the Dublin and Kingstown, the Ulster Railway, the Dublin and Drogheda, and the Great Southern and Western Railway. Of these, the Dublin and Kingstown Railway paid 9 per cent; the Ulster Railway paid 5*l.* 10*s.* per cent per annum. That, he thought, would be a sufficient security for the payment of 3½ per cent on two-thirds of the capital. The Dublin and Drogheda was not yet quite so flourishing; but even in its present state it paid 3*l.* 14*s.* per cent per annum on the whole capital, which was abundant security for 3½ per cent on two-thirds. Of the Great Southern and Western line, only 56½ miles had been completed, and it had only been at work since the month of August; the traffic, therefore, was only partially developed; it carried as yet no merchandise; the number of trains was few; they were short of locomotive power; and yet the average traffic for the last two months was about 1,000*l.* a week. Now, allowing 400*l.* per week for the working expenses of the line, it would leave 600*l.* per week net, or 31,200*l.* per annum; taking the expense of constructing the line at 16,000*l.* per mile, which would give a capital of 904,000*l.*, then two-thirds of that sum would be equal to 602,000*l.*, and the interest on that sum at 3½ per cent would be 21,095*l.* 6*s.* 8*d.*, leaving a very large surplus profit upon the working of the line. He agreed with his right hon. Friend the Member for the University of Dublin, that in the present posture of affairs, and the present position of parties, the retirement of the noble Lord from office would be a most unfortunate event;

but while he so far concurred in opinion with his right hon. Friend, he wholly differed from him as to the vote he meant to give on the present occasion. If the permanency of the Administration of the noble Lord depended on the vote he should feel it his duty to give, he should still consider himself bound to vote in favour of the Bill of his noble Friend, because he felt a most intimate conviction that it was a measure which, considering the great emergency of the case, and the great peril impending over Ireland and the empire, was the soundest, the most practical, and the most intelligent remedy that had yet been devised for that most urgent and unhappy state of things.

Mr. VILLIERS STUART said, that, in considering a measure of so great magnitude as that proposed by the noble Lord, they ought to take into account the quarter from whence it emanated, and inquire why a proposition involving so large an expenditure as 16,000,000*l.* should emanate from an individual Member, instead of the Government itself. The consequences of urging such a measure upon the House were twofold—either it would compel the Government to resign their offices, or it would involve the Chancellor of the Exchequer in a series of measures which would be most embarrassing to the finances of the country. It did not appear to him to be a wise policy in Parliament to sanction such a proceeding. He gave the noble Lord great credit for the measure which he had proposed; but he thought it the duty of the noble Lord to tender it to the Government, and leave it to them to adopt it, if they considered it necessary or expedient to do so, instead of forcing it on the House, as he was now doing. In surrendering his measure, no doubt the noble Lord would be making a great sacrifice, as it would deprive him of the glory of being a leader of a party; but, independently of his other objections to the measure, he disapproved of it from a conviction that it was not calculated to serve his country. When a country was suffering under a calamity of a severe famine, he could not convince himself that the construction of railways was the best remedy that could be devised. It was, he believed, understood that the benefit to be derived from the construction of railways, was confined to a space of two or three miles along the line; and that was comparatively inefficient for the relief of the existing distress. He wished to say nothing against the promotion of railways in Ireland by the Government. A presentment was passed in favour of the Limerick and Waterford Railway, as respected some of the earthworks, and the Government made advances of money for these purposes. If these powers still existed, under which this particular railway was served, surely every other company that could offer the proper security could take advantage by them. He should hope, if they were not able to urge upon the Government the necessity of giving their assistance to Irish railways, that they would not deprive them of the means through which they had hitherto obtained Government money.

Sir H. W. BARRON said, he never rose with greater pain for the last sixteen years, during which he had been a Member of that House, than on the present occasion, because he felt himself bound to vote against that party with which he had been hitherto acting, notwithstanding that the noble Lord at the head of the Government had staked his existence as a Minister of the Crown upon the result of this debate. He was, however, so closely identified with the principle of extending railways in Ireland, and was so convinced in his conscience that there was no one act of this House or country that could so promote the welfare of Ireland, and its ultimate prosperity as the extension of railways in that country, that he could not vote against his strong convictions, although the downfall of the Government might be the consequence. Last year he had waited upon the right hon. Baronet opposite, who was then the head of the Government, as a member of a deputation that was headed by the Duke of Leinster, with a view of pressing upon him the necessity of lending State assistance to railways in Ireland. He had acted on that occasion upon the same principle that influenced the vote he intended to give upon the question before them—from a conviction that such a measure as was now proposed, was one of the most necessary for Ireland. The extension of railways in Ireland, he thought, would have the effect of promoting the prosperity of agriculture in that country, and of advancing the interest of every class from the Peer to the peasant. In 1839 he had voted for a similar measure introduced by the then Secretary for Ireland (Lord Morpeth). If the present Government had given the slightest hope to the Irish Members, that they would introduce any measure upon the subject, he should have hesitated in recording his vote in favour of the proposition of the noble Lord opposite. There were three courses open to the Government to pursue upon the present emergency. The first was the adoption of the principle laid down by the noble Lord himself at the head of the Government, and the noble Lord at the head of the Woods and Forests, when he was Secretary for Ireland in 1839, and by the right hon. Gentleman now sitting near him (Mr. F. Baring), when he held the office of Chancellor of the Exchequer in 1839. The noble Lord who was then Secretary for Ireland, at that time stated that in England they had great resources, great wealth, and enormous capital, and therefore there was no necessity for State interference for the promotion of railways; but in Ireland, on the contrary, there was great poverty, great distress, and want of employment; and that which would have been exceedingly wrong in England was not only right as regarded Ireland, but absolutely necessary for the development of the resources of the country. When he had the noble Lord's authority for the vote he was about to give, he felt that he must be right. He might, no doubt, be told that the present measure was not precisely the same as that which was brought forward by the noble Lord (Lord Morpeth) in 1839. His answer was simply this, the principle was exactly the same—namely, that State assistance ought to be given to railways in Ireland—that the credit of the State ought to be pledged for the promotion of these works in Ireland. If the measure were considered right in 1839, he contended that in 1847 the argument in favour of it came with double force when there wore millions of the people famishing for want of food, and wholly unable to obtain employment. He did not pledge himself to support the measure to the extent of 16,0000,000*l.* for the railways when giving his vote in favour of the Motion before the House. [" Oh, oh!"] If he understood the rule of the House correctly it was this, that when an hon. Member voted for the second reading of a measure, he was only voting for the principle, and not for any of the details. He felt that in giving his present vote, he was not pledging himself to the amount of 16,000,000*l.*; for he conscientiously believed that even 8,000,000*l.* would be found to be unnecessary to carry out the projects referred to by the noble Lord opposite. The second course open to the Government was to advance money solely to the amount that was actually paid up by the railway companies themselves, so that when a company of 3,000,000*l.* capital had paid up 1,000,000*l.*, and had expended the same, the Government might then come forward and say that the credit of the State should be given for 1,000,000*l.* more, for the purpose of promoting the railway. The third course that was open to the Government was that of advancing money for the earthworks, to be expended upder the control of the Government and of the Railway Board in this country. With such checks as these, he did not see how the Government could have endangered even one shilling of the public money upon such undertakings. As the Government had declined to take any one of these courses, he felt himself obliged to act consistently with his recorded opinions, and to vote for the principle involved in the noble Lord's measure. In 1839, a petition was presented to Her Majesty upon this subject; it was signed by the Duke of Leinster, the Marquess of Headfort, the Marquess of Clanricarde, the Earl of Clancarty, the Earl of Clanwilliam, and about 200 other noblemen and gentlemen. The petitioners prayed Her Majesty to take into Her most serious consideration the report that had been then made upon the subject of railway communication in Ireland, for they were fully persuaded that the promotion of such works of public utility in Ireland, would not only prove one of the safest remedies for her wants, by the increase of her commerce and industry, but would also confer a benefit on all other parts of the empire. The hon. Member for Montrose had then recommended, in very strong terms, the adoption of such a measure by the Government, which he thought would be productive of the greatest possible advantage to Ireland and to this country; and he expressed a hope that the Government would not permit any technical or trifling objections to stand in the way of giving it their support. He hoped that the hon. Gentleman would that night vote in conformity with that sound practical axiom laid down by him in 1839. His opinion was, that this was not a transitory evil passing over Ireland. It was his solemn conviction that the Government would have to expend very large sums of money in the employment of the people for some years to come. Let him not be mistaken. Let not the House conceal from itself this fact, that the potato was lost to the people as a means of subsistence. They must therefore alter their whole system of management in respect to that country. But they could not alter the habits, the feelings, the prejudices, and the means of existence of about 5,000,000 or 6,000,000 of persons, in one, two, or three, or even four years. They must find out other channels for the employment of the people, or else they must starve. There was little or no chance of the potato ever being cultivated again to any extent in Ireland. How were they then to employ the people? They had heard often of the conacre system that was adopted in that country, by which the people were enabled to sustain their lives in cultivating the potato. That having failed them, how was it proposed to employ them? They could not count on this dreadful visitation being adequately overcome by an immediate remedy. They must look forward to the continuation of this disaster for the next year and the year following. And unless the State lent its aid in these matters, it would be morally impossible for the landlords to meet their great difficulties. It was said, why did not the Irish landlords support their own poor? The principle was no doubt excellent, and could not be denied by any man. But let them look to the real position of the landlords of Ireland. Why, what was the position of twenty-six counties out of thirty-two counties? Some of the landlords had not received one-fourth of their rents. In the majority of cases one-half had only been received; and in several cases he knew that only about one-tenth had been received. The landlords of Ireland were not receiving one-half of their incomes, and the taxation for the support of the poor was at least quadrupled. He knew of one nobleman in Tipperary, who at the audit of his accounts in last January, only received 540*l.* out of an income amounting to 7,400*l.* Not 8 per cent of his income, although his taxation was quadrupled. The landlords in his county had been attending most laboriously to the support of the poor, and had taxed themselves to the fullest extent for that purpose. The landlords of Ireland had taxed themselves, in many instances, to the amount of 30*s.* in the pound of their rentals, in order to support the poor in the present emergency; and in his county (Waterford) there were three landlords, who at the present moment employed 1,200 individuals. If hon. Gentlemen doubted that statement, he was ready to give the names of those proprietors. When he was told by the hon. Member for Inverness (Mr. H. Baillie) that the Irish landlords ought to have taken means to borrow money from the Government, as the landlords of Scotland had, his reply to the hon. Member was, that he (Sir W. H. Barron) himself and other landlords had applied to the Board of Works for a portion of the million of money voted in the last Session of Parliament for the drainage of lands in Ireland; and the reply that he had got was a letter, asking him if he were a tenant for life, and stating that if he were, he need not apply, as the law officers of the Crown had declared that the conditions of the loan were not applicable to tenants for life. Now, eleven out of twelve of the proprietors of Ireland were tenants for life under settlement, and were unable therefore to borrow a single shilling of that so much talked of money for the purpose of employing the people. They were, in fact, thrown upon their own resources. He very much regretted the tone which had been taken by the right hon. Gentleman the Chancellor of the Exchequer, on the subject of Irish landlords and Irish loans generally. The whole of the right hon. Gentleman's argument went against giving any assistance whatever to public works in Ireland. That was the tone of the right hon. Gentleman; and he regretted it very much indeed, for it was a most unfortunate tone with respect to Ireland. It was the duty, nay, the interest, of the Government of that House, and of the people of this country, to show their sympathy for the distress of Ireland, by giving every kind of assistance they possibly could to all parts of Ireland, so as to ensure the support of the people. He would not dwell further upon that subject, but dismiss it with the hope that it was not a fair sample of the feelings generally entertained by Her Majesty's Government with respect to Ireland. He hoped the Irish Members might be spared the infliction of such opinions from any other Members of the Government. Those Irish Members who had supported the present Government through good and evil report, did not certainly deserve such censure from a Member of that Government, as the right hon. Gentleman had permitted himself to use. The right hon. Gentleman had said, that the Bill was a measure more for the relief of destitute shareholders than of the destitute poor of Ireland. That might have been a very good antithesis—it might have been a way of putting the question that was very amusing to the House; but it was not consistent with the facts of the case. It was and would be a Bill to give relief to the poor of Ireland, and that was the reason why he (Sir W. H. Barron) voted for it. He had no connexion with destitute or any other shareholders. ["Question, question!"] He hoped he had been talking to the question, and was tallking to the question, and he did not wish to wander from it. He knew, and he was therefore warranted in stating, that the Irish landlords had come forward in the noblest and most generous manner, in the present emergency, to support the poor; and the middle classes too, for he knew, of his own knowledge, that in the city of Waterford the merchants, shopkeepers, and other residents had come forward, and without the aid of one shilling from Government, had established four distinct relief committees. If any landlords had failed in their duty to the poor, it was the absentee landlords; but the great majority of the resident proprietors had sacrificed their own comforts and made themselves responsible for the support of the poor. But notwithstanding all their efforts, thousands were starving, and he therefore humbly implored the House to afford those poor people the means of purchasing food, by giving them employment.

SIR R. PEEL said: Sir, it is my wish to discuss the proposal which has been brought forward by the noble Lord in the spirit and temper befitting the deep sense which I entertain of the magnitude of that evil under which Ireland is now suffering, and of the magnitude of that future danger which is, I fear, impending over it. Sir, I understood the noble Lord to bring forward this question in a spirit alien from all party considerations. I understood him to bring it forward, not as a measure in hostile rivalry to the proposals of Her Majesty's Government, but as a contribution proffered by the noble Lord in aid of the measures by which it is hoped to diminish the sufferings of Ireland. Sir, in that spirit it is my intention to discuss this measure. I am the more inclined to do it because the vote I shall give will be upon the merits of the question, and will be in no degree influenced by the consideration of those political consequences which the noble Lord (Lord J. Russell) indicated as the possible result of the noble Lord's (Lord G. Bentinck's) success. Sir, the proposal is, that the credit of this country should be pledged to the amount of 16,000,000*l*., for the purpose of providing employment in making railways for the poor in Ireland. The extent to which it is proposed so to engage the credit of this country, justifies —and, in my opinion, necessitates—some reference to the financial condition and the financial prospects of this country. Sir, the present financial condition of the country, judging from the returns made up to the beginning of January last, is, no doubt, prosperous. It would appear from these returns that the amount of revenue received within the year, apparently (I speak of the year ending the 5th of January last) far exceeded the estimate which was made by my right hon. Friend the late Chancellor of the Exchequer. That revenue was partly derived from sources upon which he could not have calculated; but, speaking generally of the ordinary sources of revenue for the year ending 5th January last, the receipts were greater than the most sanguine expectations could have anticipated. My right hon. Friend calculated the amount of the revenue for the year ending the 5th of April next, at about 50,900,000*l*.; and the receipts for the year ending the 5th of January last were not less than 53,000,000*l*., being an excess of 2,000,000*l*. above the estimate of my right hon. Friend. The balances in the Exchequer were not less than 9,000,000*l*., and the total amount of excess of revenue over expenditure was about 2,800,000*l*. As far, therefore, as the receipts and disbursements of the present year are concerned, we may consider the financial condition of the country to be prosperous and satisfactory. But in reference to the proposal of the noble Lord, to pledge the credit of the country to the amount of 16,000,000*l*., the matter for our consideration is rather the prospect of the coming year, than the financial condition of the country for that which is about to close. The noble Lord at the head of the Government, or the right hon. Gentleman the Chancellor of the Exchequer, will, upon an early day, state to the House the view which the Government take of the financial prospects of the country. I apprehend they can hardly calculate upon a receipt of revenue for the coming financial year greater than that which will have been received in the present. It is hardly possible to conceive that, considering the high price of provisions in this country, and considering the depressed state of manufactures, at least in some of the great branches; considering also the unexpectedly high price of the most important of the raw materials of manufacture—I mean cotton; considering also the effect which the high price of provisions throughout continental Europe, and in the United States of America, caused by the demand from Europe, must produce upon the power of consumption in Europe and America—it is hardly possible to suppose, I say, that the concurrence and combination of these causes should not have a material effect upon the future receipts of our revenue. As to the expenditure of the coming year, I apprehend we can calculate upon no reduction. I find, indeed, that in the great military estimates, those of the navy, army, and ordnance, an addition of not less than 400,000*l.* is required in the next year. I quarrel not with that increase; I do not believe that any Government ever proposes estimates of this kind without a conviction that the amount is justified by the wants of the public service; and I allude not to the proposed increase for any purpose of invidious contrast. The fact, however, is, that in the case of the military estimates, there is an actual increase of 400,000*l.*; and I cannot anticipate a reduction in the miscellaneous estimates. It is certain, therefore, that the total expenditure of the next year will considerably exceed that of the present. Then, Sir, with respect to Ireland, there cannot be a question that the necessary expenditure which must be incurred for the purpose of mitigating those horrors of famine which the accounts of every day present to us, and for the mitigation of which I, for one, am prepared to consent to a very heavy charge, to be borne by this country in common with Ireland—there cannot be a question that the result will be to cause a very considerable deficit, comparing the revenue of next year with the necessary expenditure. Supposing this terrible calamity in Ireland and on the west coast of Scotland had not occurred, it is possible the noble Lord might have anticipated some considerable excess of revenue over expenditure. If the total expenditure required for Ireland should at all approach the sum indicated by the noble Lord and the Chancellor of the Exchequer—namely, 9,000,000*l.*, or, possibly, 11,000,000*l.*, in that case I consider it highly probable there will be, on the 5th of April, 1848, a deficit of not less than 7,000,000*l.* or 8,000,000*l.* But I fear we must not limit the extraordinary demand on account of the Irish calamity to the present year. I believe you will be required, in a liberal and indulgent spirit, to estimate the necessities of the future. I believe you cannot trust, I hope you will not trust, to that root on which the people of Ireland have hitherto depended for their chief subsistence. If you cannot trust to it, depend upon it by no application of skill to the production of other food in Ireland, will you be able to provide sustenance for nearly the same number of people. The great object, therefore, after providing for the absolute necessities of the present emergency, must be to consider what are those measures, conceived in a wise and just and generous spirit, which may lay the foundation of that social regeneration, which, so far at least as subsistence is concerned, must be in your contemplation. To carry out these future measures may demand continued pecuniary sacrifices; and consequently the burden upon the finances may not be limited to that sum of seven or eight millions of which I have spoken, but will probably be increased by a considerable demand for aid from the public purse. With these prospects before us, let us advert to the present state of that which is significantly and familiarly known by the name of the money market. The reference to it seems to excite a smile in some quarters; but the money market, in the sense in which I am using the phrase, means neither more nor less than the terms on which the public can borrow the loans which are necessary for meeting the public exigencies. A loan for that purpose is significant of taxation. It is a burden on the people which must be provided for by some species of taxation. Well, then, I find that the three per cents, which a short time since were at not less than par, and which within these three years were, I think, nearly at 100, are at the present time not more than 91. The fall in the value of funded property within the last six or seven months amounts to not less than 5 per cent. So much for the funded debt. Now look at the state of the unfunded debt. On the very day on which I am speaking, it is almost a question whether some description of Exchequer-bills are not at a discount. At any rate, they are not at more than 4*s.* or 5*s.* premium; and of course the existing state of the unfunded debt is a material consideration in discussing a measure which proposes to increase it. Sir, with respect to foreign affairs, I am ready to put confidence in the assurance given by Her Majesty on the first day of the Session, that Her Majesty confidently trusts to the continued maintenance of public tranquillity. I heard that general assurance with great satisfaction ; but my confidence in it was somewhat impaired by a reflection on the present state of our relations with that great country, France, with which we have had discussions—necessarily had discussions—in consequence of recent events in Spain. My confidence in that general assurance was also diminished by the notorious fact, that Her Majesty was obliged to accompany it by a plain and positive declaration that three of the great Powers of Europe had been recently guilty of a manifest violation of the Treaty of Vienna. It is then, Sir, at this period, with the three per cents at 91, with Exchequer-bills scarcely at a premium, with our relations with foreign Powers in a state to justify at least great anxiety, if not great apprehension—it is at this moment that the noble Lord has called upon us to authorize Her Majesty's Government to contract engagements which, spread over four years, may amount to the sum of 16,000,000*l*. These engagements are altogether independent of that obligation which I contemplate to be highly probable, namely, the obligation to provide for a deficit of 7,000,000*l*. or 8,000,000*l*. within the coming year. But how is that deficit to be met ? What means has the noble Lord the First Lord of the Treasury to provide for it ? I know of none, excepting either by drawing on those balances in the Exchequer, the amount of which it is of the utmost convenience to maintain ; or by a vigorous effort to increase direct taxation to be visited on all parts, I presume, of the United Kingdom; or by the further issue of Exchequer-bills in the present critical state of the unfunded debt; or by the contraction of a loan to the amount which may be required. One or other of these methods of supplying this deficit must, I apprehend, be resorted to. Sir, this is the position in which we stand, independently of the proposition of the noble Lord (Lord G. Bentinck), for an additional mortgage of the public credit to the extent of 16,000,000*l*. I am sure the noble Lord at the head of the Administration will acquit me of any desire of referring to this part of the subject for the purpose of crimination or blame. The necessity of acting has been imposed on the Government by a great public calamity; and let the Finance Minister of the country have been who he may, the demand would have been equally large. Suppose, now, that the noble Lord should think it advisable to resort to a loan, or to a fresh issue of Exchequer-bills, which is identical in this respect with a loan, for it is borrowing money; then I am compelled to ask, is it advisable that we should increase the difficulties of his financial position by urging him to enter into additional engagements to the amount of 16,000,000*l*. such engagements to be spread over four years? Sir, I totally differ from those who contend that we can pledge the public credit of this country to an indefinite extent, for the purpose of aiding private commercial speculation, without subjecting the country to the risk of loss. There may be the prospect or even certainty of the repayment of the capital advanced ; but there may notwithstanding be loss—absolute pecuniary loss—by the transaction. It is quite clear that, in addition to the six or seven millions which the noble Lord may find it absolutely necessary to provide, he would have to provide four millions for the present year, and twelve millions for the next three years ; and, depend upon it, that so serious an addition to the unfunded debt would require a positive addition to the interest paid on Exchequer-bills. What is the public credit of the State ? It is part of the national property—it is one element of our financial strength. You cannot appropriate a great portion of the public credit to the encouragement of railway speculation, without, at the same time, fettering your power to appeal to the same resource, should the public exigencies require it. Therefore, I say, the application of the national credit to the encouragement of commercial undertakings, is the same in principle as the application of public money to the same purpose. It makes you the less able to avail yourself of your credit for national purposes. The loan you may have to raise for such purposes will be raised on less advantageous terms—that is to say, more money must be paid from the taxes to the public creditor.

Some observations have been made in the course of this discussion about Gentlemen not having read the Bill, and misrepresenting its provisions. I can assure the noble Lord that I have read the Bill; and that it is not my intention to misrepresent it in any respect. If I understand the Bill, its purpose is this—to enable the Treasury to advance for the next four years a sum, the maximum of which is 16,000,000*l*.

It does not impose on the Treasury the obligation of advancing the whole of the 16,000,000*l.*; but still the whole of the calculations of the amount of benefit to be derived from the employment of a large number of labourers, proceed on the assumption that the whole sum will be advanced. The noble Lord says that there are 1,500 miles of railway to be made in Ireland (excepting that portion already completed), and that the work will employ 110,000 labourers, and give support to 550,000 persons. That estimate implies that the powers granted to the Treasury will be exercised to their full extent. If, upon a rigorous investigation into the merits of the various railway schemes, the whole amount of the 16,000,000*l.* should not be advanced; if, for instance, 12,000,000*l.* only, instead of 16,000,000*l.*, should be required in the course of four years, we must make a corresponding deduction from the advantage expected to be derived from the measure. Observe, however, that the proposed advance of 16,000,000*l.* is not limited to railroads which have already received the assent of Parliament. If, upon investigation by the Commissioners, it should appear that there is in Ireland of railways which have been sanctioned by Parliament a number sufficient to justify an advance not exceeding 12,000,000*l.*, there is power given by the Bill to advance the remaining sum of 4,000,000*l.* to any railroads which may hereafter receive such sanction. As I read the Bill, the Treasury is not only liable to be called upon to do this, but it is compulsory on it to obey the call. It has no discretion to withhold the money, provided the Railroad Commissioners certify that the construction of particular railroads would be for the public benefit, and afford employment to the people. The Treasury, therefore, is to be used as a mere instrument—the power of judging whether public money ought to be advanced in certain cases is to be taken from that department which is responsible to the House for the management of the public revenue, and to be transferred to a railway board. The hon. Member for Shrewsbury said, that Chancellors of the Exchequer were actuated by a fellow-feeling in considering a question like this: their common object is to protect the public purse. The fellow-feeling of a railway board would be just the reverse. Their sympathies would be with railway enterprise. It is certainly a novel proposition to leave the Treasury no option with respect to the advance of 16,000,000*l.* of public money; but to compel them to pay all that is demanded upon receiving a certificate from a board of Railway Commissioners, in no way responsible for the public expenditure—in no way interested in protecting it—I say it is a novel principle in our legislation to make the Treasury a mere instrument in the hands of the Railway Commissioners, and to compel the Treasury, on receiving from them a certificate—which, by the by, is not of a very stringent character—to advance the public money. The certificate required, is to this effect—that the railroad would be of public advantage, and in its construction afford beneficial employment to labourers. Nothing is to be said in the certificate about the certainty of the repayment of the money. All that is required in the certificate, is a declaration of opinion that the railroads would be of public advantage, and afford beneficial employment for labour; and upon receiving that, the financial department of the country would have no option, but must, whatever they may think of the security, advance 16,000,000*l.*, if required, in the course of four years, in addition to providing, either by direct taxation or by loan, or by the issue of Exchequer-bills, 7,000,000*l.* or 8,000,000*l.* to meet a deficit in the public revenue. Now, what are the prospects of repayment? It has been generally assumed in the course of this debate, that we shall, at any rate, get back our capital at the expiration of thirty years. But, observe, this Bill, if I construe it rightly, merely provides that there shall be paid on the advance during thirty years, such a rate of interest equal to that paid to the holders of Exchequer-bills. There is no such provision in this Bill as was contained in the Drainage Act of last Session—there is no obligation on the railroad companies to provide, without delay, for the gradual repayment of the principal. Last year we advanced money for the purpose of encouraging draining at a very low rate of interest—at the rate of 3½ per cent. We, however, provided that from the date of the advances, the repayment of the principal should commence. We provided that there should be an annual payment of not less than 6½ per cent, at which rate it would take twenty-two years before the whole of the principal would be repaid. But by this Bill, if the railway company should pay the annual interest on the money advanced to them, they could not be required to repay any portion of the capital until thirty years should have elapsed. Well, even at that remote period—for remote it is, speaking in a financial point of view—is there a certain prospect of getting back any part of the debt? By no means. Power is given to the Crown to extend the period for the repayment of any portion of the capital beyond the assigned limit of thirty years. Just see how this will operate on future railroads. There is a public notification to all incipient railroads, that, provided the shareholders can pay up 20 per cent of their capital, and obtain a certificate from the Railroad Commissioners, they can at once compel the Treasury to advance 40 per cent, or double the amount which the subscribers have paid on their shares. They know that for thirty years they are not liable to repay any portion of the capital. They know also, that power exists in the Treasury at the end of thirty years, if the scheme is not promising, to extend the period of repayment indefinitely. Now, it was only last year that we were all impressed with the danger that arose from excessive railway speculation. At the beginning of last Session, the question was, how we could impose restrictions on the mania with which the public was affected. Did we not all fear that operations in the money market for national purposes would be materially prejudiced by railroad speculations? The question mooted was, whether you would limit the amount of capital—of capital the property of individuals—which might be employed in railway speculations? The difficulty was found to be so great that the idea was abandoned; but there are very grave doubts still entertained whether the restriction would not have been politic. But the present Bill adopts the opposite principle. It not only does not restrict and discourage private speculation, but foments it at the public cost. It enables private parties, having obtained an Act, and a certificate from the Commissioners of Railways setting forth that the speedy completion of the works will be of public advantage, and will afford beneficial employment for labour, to procure from the Treasury an advance of 40*l.* for every 20*l.* which may be contributed by the shareholders, with an assurance, also, that for thirty years there shall be no demand for repayment, and that a power shall exist to defer repayment even after the lapse of thirty years. Now I, for one, am willing to make great sacrifices for the purpose of providing employment for the poor in Ireland; but I must at once say, that the proposed benefit to the shareholders in Irish railways, is greater than can possibly be justified on any public grounds. We must not, it is true, judge of any proposal that is made for the interest of Ireland at the present crisis, by the ordinary rules which we apply to matters of this kind: the measure proposed by the noble Lord is, no doubt, open to grave objections; but we must not necessarily reject it upon these grounds, for they are equally applicable to the proposal made by the Government. But, making every allowance for the exceptional nature of the present crisis in Ireland, the proposal in this Bill, with reference to shareholders in Irish railways, is unjust as concerns the vast mass of the community subject to taxation. You cannot benefit the shareholders in Irish railways by the grant of public money, or the use of public credit, without injuring other persons, by adding to the heavy burden of taxation. An hon. Gentleman who sits near me, took particular pride in that clause of the Bill which enables the railroads to pay off their existing obligations. From what fund are they to pay them? From the public. Here are certain shareholders, who are bound to pay up the calls or to forfeit their shares, and who have incurred certain debts; and the first application of this public money is to be, to enable them to pay those debts. This, says the hon. Member for Sunderland (Mr. Hudson), " this will make the coast clear, and then the public will have an increased security by getting rid of the prior incumbrances." That is to say, they are to get better security for the payment of their own demands, by first paying the debt due to other persons. The shareholders in other railroads are borrowing money at 5, and in some cases at 6 per cent; railroads that give the most unexceptionable security are offering 5 per cent. Just see what these English railroads have done. Such is the state of the money market in Great Britain, that according to the statement of the hon. Member for Sunderland (Mr. Hudson), they have raised a capital of 10,000,000*l.* within the last three or four months; and in making the calls for that amount, they have met with no default. What a decisive proof that if good security can be given, money can be raised without the intervention of Government! The hon. Member (Mr. Hudson) says to us, "Don't suppose that I have any interest in this affair; don't suppose that I have a share in any Irish railroads; I will give you"—and I believe him—"I will give you, disinterestedly, my advice and assistance, but I shall derive no benefit whatever from this measure; as for shares in Irish railroads, I disclaim anything of the sort." But is it not a notorious fact, that many of the shareholders in Irish railroads are Englishmen? Is it not possible, that English railroad companies may have shares in Irish railways? The hon. Member for Radnorshire (Sir J. Walsh) said, "See what an ernormous profit"—that was his expression—"this will be to the English railways; if you make a railroad, the terminus of which is at Waterford, or Dublin, you cannot suppose the passengers will stop there; the passengers brought to Waterford, or Cork, or Dublin, come there for the purpose of passing on to the English railroads; and "enormous profits"—again I quote his expression—"will be made by the English railroads." Well, but if English railroad companies, paying dividends to their shareholders of some 10 or 12 per cent, are great holders in Irish railway speculations—if this encouragement of additional railway enterprise in Ireland is to be attended with "enormous profits" for the future to these English railroads—with what pretext of justice can they ask me to advance the public money to forward their interest? Take the Birmingham, or the Great Western, or any other great line of railway, and suppose, as is alleged, that the establishment of railways in Ireland would produce "enormous profit" to these English companies, would it not be manifestly unjust to add to the taxation of this country, in order that that class of shareholders in Irish railways might obtain money at 3½ per cent, for which they ought to pay 5 or 6? Why should such parties be empowered to raise money at 3½ instead of 6 per cent, and thus receive an annual bonus of 2½ upon every 100*l*. for which they had rendered themselves liable? Sir, I will not pledge the public credit for any such purpose. It would be a direct bonus to the Irish railway companies of 25,000*l*. annually in the shape of interest on every million of money that they borrow; if, as we are assured, Irish railway enterprises will be attended with such enormous profits to English railroad companies—even if those companies have now no shares in Irish railways, they ought to be the parties to forward them. Not only am I not prepared, therefore, to assist that description of shareholders; but if the accounts of the bearing of Irish railroads on the prosperity of English railroads be true, there is a great inducement for English companies, and my hon. Friend (Mr. Hudson) at the head of them, to come forward liberally in aid of the Irish railroads.

If this measure were really calculated, as I am confident the noble Lord sincerely believes it, to be a great instrument for the future regeneration of Ireland, I am not prepared to say that even financial difficulties should interpose any necessary obstacle to its adoption; but it is because I doubt whether even if you have 16,000,000*l*., or one-half that amount to expend, you might not expend it in Ireland with a greater prospect of advantage to that country. It is because I doubt the policy of the proposal, apart from the question of financial difficulties, that I hesitate in giving my assent to the measure of the noble Lord.

The hon. Gentleman who concluded the debate last night (Mr. Disraeli), adverted to that which I deem to be one of the main considerations to be borne in mind on this occasion. I will not enter into that part of his argument which related to the alleged mistakes of Chancellors of the Exchequer. But while the hon. Gentleman adverted to mistakes which he said were made by three Chancellors of the Exchequer, I think there was one mistake into which he himself fell. The hon. Gentleman was adverting to the proofs which abounded of the poverty and inferiority of Ireland, as compared with Great Britain; and he alleged as his decisive proof of depression and inferiority, the contrast that was presented, if I understood him aright, between the amount of the currency in Scotland, and the amount of the currency in Ireland, as compared with the population of the two countries. Now, the amount of the currency, surely, is a most fallacious test of the prosperity of a country. The pride and boast of Scotland is, that it has not increased its note circulation for several years; but that by a provident management of it, that country has been enabled to conduct its increased concerns. Though there is no country on the face of the earth in which the advance of prosperity has been so rapid, yet if you compare the note currency of Scotland thirty years back with its present amount, you will find no great difference in it. To look, therefore, to the amount of currency in a country as a test of its prosperity, is most fallacious. The hon. Member thinks it to be a conclusive proof that Ireland is not so prosperous as Scotland, because in Ireland the amount of currency, as he stated, is only 1*l.* per head of the population, whereas in Scotland it is 16*l.* per head. I say that it is impossible to place the least reliance on that test. [Mr. Disraeli spoke not of currency, but of bank capital.] If I misunderstood the hon. Gentleman, I will not pursue that subject further; I will advert to the much more important consideration which is the foundation of the whole argument in favour of the present measure. The hon. Gentleman (Mr. Disraeli) says—

> " I admit the truth of the abstract doctrine, that it is better to leave commercial enterprise without State interference. I think that doctrine not only abstractedly true, but I think that in the case of England it is practically applicable. In England the prospect of commercial gain is all that regulates the conduct of the speculator; he ascertains the cost of the work, the probability of the amount of traffic, the number of men he will have to employ, and by purely commercial principles he determines whether or not he shall embark in a certain undertaking; therefore, this abstract doctrine is practically applicable to a country like England."

But the hon. Gentleman proceeds to say that—

> " This doctrine is not practically applicable to Ireland, for there political considerations overpower the commercial; the State has misgoverned Ireland, and therefore the State ought to interfere for the encouragement of commercial enterprise in Ireland."

That is an argument which I am about to contest. I do not admit that it is for the advantage of Ireland that political considerations should overpower the commercial; and I contend that, in Ireland, as in every other country, commercial considerations ought to determine commercial undertakings. If, indeed, I am to judge from the arguments and statements made use of in the course of the present debate, it is clear that Ireland ought not to be exempted from the application of that principle which is admitted to be abstractedly perfect. I have listened with great attention to most of the hon. Gentlemen who have spoken in favour of the present measure, and they have succeeded in convincing me that if their assumptions and statements be correct, it is the manifest interest of Irish proprietors to encourage from their own resources these railway speculations. The noble Lord the Member for Lynn made this statement. He said—

> " Complete 1,500 miles of Irish railroads, and see what will be the bonus to the Irish landlords. The land on every square mile adjoining the railroads will be improved; every acre in the vicinity will have a positive addition to the value of its rental; and, taking that increased annual value, at a low estimate, to be 10*s.* an acre over the whole number of acres so improved, the rental of the whole number will be raised about 900,000*l.*; and, converting the increased rent into capital, the amount would not be less than 23,000,000*l.*"

23,000,000*l.* for the Irish landlords to be derived from the improved value of their property, in consequence of railroad enterprise! Then why do not the Irish landlords promote these undertakings? While we are willing to advance all that is necessary for the relief of the destitute, and I say, also, for improving the moral condition permanently of the labouring poor; have we not a right to call on the Irish landowners in the vicinity of these proposed railroad lines to give every facility to enterprises from which they are to derive 23,000,000*l.* of clear pecuniary profit? I will now take the case of the Galway fisheries—of the Claddagh fishermen who have been expressly named. It has been said that they can go out and return in a single night, bringing in a quantity of herrings, which would insure a return of 4,000*l.* for one night; and the noble Lord the Member for Stamford said—

> " See what a benefit railroads would be to the Irish fishermen; for they would be enabled then to take fish to Dublin, and to the intervening parts of the country; and these Claddagh fishermen, instead of lying idle for three or four nights together, would then be enabled to catch fish every night in the week, and distribute it over the country, for which they would get a return of 4,000*l.* a night."

Are not these just the commercial considerations which ought to enter into the minds of the Irish themselves? Land is to be trebled in value—fisheries are to be encouraged. Are not these commercial considerations? [Mr. Hudson: There is no money in Ireland.] There is no money, says the hon. Gentleman; but there is that great fund on which he himself recently raised his 10,000,000*l.*, namely, the prospect of gain. If these railroads are, as we are assured, to be so profitable, why should not British capital be invested in them? The hon. Member for Shrewsbury (Mr. Disraeli) says, that in Ireland political considerations overwhelm the ordinary commercial operations. He says, that the shareholder in Irish railroads finds great difficulty in procuring land; he finds complicated interests, and a confused tenure of property, and much greater difficulty in procuring land in Ireland than the English railroad companies find in England. Then, I say, the remedy for this is, to facilitate the means of procuring land. The noble Lord the Member for Lynn has maintained that it is for the pecuniary interest of the Irish landowner that his land should be taken for the construction of railways. Then, if the Irish railway companies experience great difficulty in procuring land from the owners of it, take means to facilitate the purchase of it on fair terms. It is proved to be the interest of the Irish landowners to part with their lands for such a purpose. Nothing could be more easy. It was done with respect to the Shannon Navigation. It was not there left to the owners of land to demand an arbitrary sum, but the amount was left to be determined by commissioners; and I am told that the award of the commissioners was so just with respect to all the complicated interests concerned, that there was not a single appeal against their decision. I entreat then the Irish landlords maturely to consider whether one way to promote railway enterprise in Ireland, is not to simplify and facilitate the purchase of land. I do not ask them to give it up without a fair equivalent; but, instead of leaving the railroad companies to deal with four or five complicated interests in each acre of land, let them voluntarily press on the Government the policy of enabling the Railroad Commissioners to deal with land, as I believe it is dealt with in France and Belgium, and by a fair and liberal award to diminish those difficulties under which railroad companies labour in Ireland. But the hon. Gentleman (Mr. Disraeli) says that the Irish railroad companies, after employing men, would have them taken away by some party procession. They could not send, it is said, the men to church or to chapel without the fear that they would join some party procession, arising out of religious animosities. What is the cure for those animosities? Bring men to act together in the pursuit of gain—unite them in a common interest. If the Government were to hold the doctrine that Ireland is different from other countries; that it is not fit to be trusted with its own concerns; that the Government must do everything which is done by individual exertion here, and in Scotland—depend on it these religious animosities will never be extinguished. But invite the Irish to take part in the concerns of their common country, and then, if religious animosities should be found to obstruct the success of commercial enterprises, the Irish would find it their interest and duty to discourage both party processions and religious animosities; and the double advantage would be gained—the extension of commercial undertakings, and the discouragement of a great social evil. The hon. Member for Shrewsbury proceeded as others had done to demonstrate the advantage railroads would confer on Ireland; he says there is a bed of coal at Mallow more extensive than any coal field in England; make a railroad, he says, and not five years would elapse before that coal field would be explored; the coal would be carried to Dublin, and, as fuel is of as much importance as food, the revenues of the railway and the comforts of the people will be increased by its transport. Why, then, should political considerations overpower the commercial? Why do not men of capital and men of sense estimate what amount of profit the working of the Mallow coal field will produce? Again, the hon. Gentleman said the social state of the country would be improved; there would be a new stimulus to erection; new residences would be built; new branches of trade would be encouraged. Well, but are not all these the very considerations which should encourage individual commercial enterprise in Ireland? I firmly believe, if you will not overpower that enterprise by the application of public money and Government interference, that at no remote period this will be the case.

I am not contending for it as an universal rule, that there shall be no advance of public money in aid of private enterprise in Ireland. Such encouragement has been frequently given by the Government to private enterprise. As First Lord of the Treasury, I consented to an advance to an Irish railroad; but on the same principle on which other commercial enterprises have been encouraged; and I am not at all prepared to say, under the dreadful calamity Ireland is suffering from, that it would be unwise to give some encouragement to railway enterprise in that country. But I cannot go to the extent proposed by the noble Lord. I am not averse to the occasional application of public capital to the encouragement of enterprise, both here and in Ireland. But I sincerely deprecate such an application of it as would paralyse individual exertions. And the advance of any such sum as that proposed by the Bill before the House, would, in my opinion, have a direct tendency to suspend individual exertion, and paralyse private enterprise.

The noble Lord contends that we must not add to the 16,000,000*l.* which he demands, the 7,000,000*l.* which the Government requires for the maintenance of the destitute, for that the effect of his measure, by giving employment, will be to supersede the necessity for gratuitous relief; but I doubt whether the measure of the noble Lord will diminish the expenditure which is now proceeding, and is deemed necessary for the relief of Ireland. Sir, I hold in my hand a railway map of Ireland, on which are marked the lines sanctioned by Parliament for that country. There are on it those railways which have been made, those railways which are in the course of construction, and those railways not commenced, for which Bills have passed. The statement of the Chancellor of the Exchequer, the other night, was in the main correct—namely, that the Irish railroads are for the most part confined to the east coast of Ireland. I find on this map only two projects which concern the western coast of that country; and these are comparatively small undertakings. One of them is the Sligo and Shannon Railway, the estimate for which is only 100,000*l.*; the other is the Limerick, Killaloe, and Clare Railway, the estimate for which is 300,000*l.* These are the only exceptions to the right hon. Gentleman's statement. But, looking further at the map, I find that in the counties of Donegal and Roscommon—in the county of Sligo, with the exception of the Sligo and Shannon line, to which I have just alluded—in the counties of Mayo and Galway—in the county of Clare, with the exception of the Limerick and Killaloe line—and in a great part of the county of Limerick itself, no railroad is projected, and no likelihood, consequently, of the destitute in those districts, should the noble Lord's Bill be adopted, finding employment in the neighbourhood of their homes and families. It was stated by the hon. Member for Radnorshire, in the course of this debate, and I believe stated truly, that Irish labourers who were employed on railroads, usually resided in the vicinity of those undertakings. But suppose they travel to a distance, will not the abandonment of his family by a Connaught man, during the period of his employment in the east of Ireland, be an evil? Who is to provide for them in his absence? Will his remittances be so punctual that they shall not suffer want while he has work? Even under the most favourable circumstances, the demand upon the Government for the support of the infirm and destitute on the west coast of Ireland, and in many other districts, will not be materially relieved by giving employment to the able-bodied on railways at a distance from their homes. The charge of 7,000,000*l.* will, in that case, be concurrent with the advance of 16,000,000*l.*

My chief objection to the noble Lord's measure is founded on the impolicy of undertaking to do that, on the part of Government, which ought to be done by individual enterprise—which will be done, if there is a fair prospect of profitable return. What has been the result in Ireland of past interference on the part of Government? Take the case of Irish canals, for instance. Canal navigation in Ireland was promoted and encouraged by the Government of the day in which it was projected, as a national enterprise of the most advantageous character; and I wish to present to the House the contrast between undertakings encouraged and fostered by the Government, and others commenced under every difficulty and discouragement, but of which the life and soul has been individual enterprise and the hope of private gain. By the Irish Parliament, inland navigation was greatly fostered; and this public aid was granted exactly on the same grounds on which we are invited to give it to railroads now. By the 25th of Geo. II., a corporation was formed to promote and carry on the inland navigation of Ireland. The plan was a magnificent one; namely, to join the Irish Channel with the Atlantic, by a canal across the whole of Ireland. The most confident prophecies were made of its success; the profits it would return were to be quite enormous; the general welfare of Ireland was to be vastly promoted by it. And so it would, if you had left it in the hands of private speculators, and not incumbered it with your expensive help. The Act of Parliament declared that the object was "to encourage tillage, and employ the poor," and therefore that "it was fit and reasonable that it should be carried out at the charge of the country." In 1787, the affairs of the corporation had been so badly conducted, that it was dissolved;

but even that warning was of no avail. It was admitted, indeed, that the system of giving grants of public money had proved abortive; but private enterprise was not appealed to. The usual remedy—a public board—was resorted to. Commissioners were appointed, of course by the Government, with salaries of 500*l.* a year each, to superintend the works; and it was wisely resolved to have two canals close to and nearly parallel with each other. They were called the Royal and Grand Canals. The original estimate for the Royal Canal was 180,000*l.* The sum of 60,000*l.* of the public money was advanced to the canal in aid of 134,000*l.* raised by subscription; and it was thought that this would have been sufficient to cover the whole expense. In the year 1811, there was an inquiry into the affairs of the company. What was the result? There had been 186,000*l.* of public money already granted—180,000*l.* having been the original estimate. The debts of the company were 842,000*l.*; the income of the company was 15,000*l.*; the maintenance of the works cost 11,000*l.*; therefore there was left 4,000*l.* to cover the annual interest on the debt, which amounted to 49,600*l.* So much for the Royal Canal Company, and the result of Government interference.

The Grand Canal Company was not much more prosperous. It was described as a great national undertaking, destined to establish a regular water communication through the centre of Ireland, between the British Channel and the Atlantic; and it was accordingly fostered by the Government. But it turned out, on inquiry into its affairs, that the directors of the company had made dividends among the proprietors, not only at periods when there was no clear profit, but when they were obliged to pay the interest of former loans, and provide for the permanent expenses by raising new loans. In the case of the Royal Canal, the great national undertaking superintended by Government Commissioners, and supported by public grants, I had to say to Parliament, in 1814 or 1815, "Although you have already granted 186,000*l.*—although the original estimate was but 190,000*l.*—although near a million has been expended—yet, unless you now grant 150,000*l.* from the public purse to complete the canal, all that has been expended will be useless." Well, Parliament did grant that 150,000*l.* in addition to the 186,000*l.*, for the purpose of saving the canal from destruction; and the company was dissolved, and the affairs of the canal entrusted to other management. In what condition the Grand Canal Company now is, I do not know; but, as I understand its affairs were subsequently better managed, I hope it has succeeded. Now, this was the result of Government interference in respect to encouragement of canal navigation. Let me contrast this with what has been done without Government interference or Government aid. In the admirable report on Irish railways, prepared by Messrs. Drummond, Burgoyne, Barlow, and Griffiths, there are some important statements on this point. There are the means of comparison between private enterprise and Government patronage. I have already detailed to the House the consequences of Government interference in inland navigation in Ireland. I will now give an account, quoted from this report, of what has been done by individual enterprise:—

> "The enterprise and intelligence of an individual," says the report, "has, within the last twenty years, supplied the entire of the south, and a great portion of the west of Ireland, with means of internal communication by a species of accommodation, and in directions which, till then, had been unattempted—we mean a regular system of communication by cars between the provincial towns; for it is worthy of remark, that, while the intercourse has been long kept up by public coaches, and other vehicles, between Dublin and the great towns, and between the several places situate on those lines one with another, there was scarcely an instance of a public conveyance plying regularly by the cross roads, until the individual we allude to undertook it."

This was the work of an individual determined to rely on his own exertions. Had he special advantages? Had he enormous capital? Had he great connexions in Ireland? He was a foreigner, an Italian, a native of Milan, who came to this country, and said, "I rely on my own industry, on my own activity, and I want no Government aid. I will begin with a single car, and I will try what enterprise and regularity in my dealings will do." The report went on to say—

> "Mr. Bianconi is a native of Milan, who, when he settled in this country, was unacquainted even with the language spoken by its inhabitants. With a capital little exceeding the expense of the outfit, he commenced running a car between Clonmel and Cahir; fortune, or rather the due reward of industry and integrity, favoured his first efforts, and he soon began to increase the number of his cars, and to multiply their routes, until his establishments, which are still extending themselves in all directions, spread over the whole province of

Munster, passed through Kilkenny to Wexford, Carlow, and Mountmellick, in Leinster, and penetrated into the counties of Sligo and Leitrim on the north-west. He has now ninety-four public carriages in constant work, and the distances traversed by them exceed 3,000 miles per day. These results are the more striking and instructive, as having been accomplished in a district which has been long represented as the focus of unreclaimed violence and barbarism, where neither life nor property can be deemed secure."

Suppose we had addressed Mr. Bianconi, in the language of the Member for Shrewsbury, "Political considerations outweigh commercial ones in Ireland. That country is disturbed by factions; there are party processions, there are religious animosities; you must not trust to your own industry and enterprise; the Government must undertake car communication, and foster it with votes of public money." If we had thus addressed this Gentleman, is it not possible that the result of our patronage of car communication would have been like that of our interference with inland water communication? Mr. Bianconi encountered all difficulties; he went into that county, Tipperary, which was—I hope is not still—proverbial for habits of insubordination among the inhabitants. He established himself in the very centre of lawless violence, where neither life nor property was secure:—

> "Whilst many persons, possessing a personal interest in everything tending to improve and enrich, have been so misled or inconsiderate as to repel, by exaggerated statements, British capital from their doors, this intelligent foreigner chose the county town of Tipperary as the centre of his operations wherein to embark all the fruits of his industry, in a traffick peculiarly exposed to the power, and even to the caprice of the peasantry. The event has shown that his confidence in their good sense and good feeling was not ill-grounded. By a system of steady and just treatment, he has maintained a complete mastery, exempt from lawless intimidation or control, over the various servants and agents employed by him; and his establishment is popular with all classes, on account of its general usefulness and of the fair and liberal principles of its management."

Such was the benefit conferred by the individual unaided enterprise of a foreigner, who did not even understand your language, and who had only capital sufficient to set up a single one-horse car. Let me entreat you, the landed proprietors of Ireland, to profit by the lesson thus written for your instruction. If you feel convinced that railways will add to the value of your estates—that, according to the perhaps too sanguine estimate of the noble Lord, they will increase the rental of land in the neighbourhood of railways to an extent equal, if converted into capital, of 23,000,000*l*.—if by liberal dealings with railway companies, and by simplifying the complicated processes of law, you can facilitate the conveyance of land—if you will put down party processions, and discourage religious animosities—if you will permit commercial considerations to prevail over political—if you will trust to the energy of private enterprise—if, forgetful of religious and political differences—united by a common danger—standing in the awful presence of that desolating calamity under which your country is suffering—you will concentrate all your strength on the mitigation of that calamity and on the improvement of the social condition of the millions who are dependent upon you for their future well-being—you will do more to promote the interests of your native land, and to improve your own properties, than if, resigning yourselves to sloth, idleness, and despair, you place all your confidence in Parliamentary grants, and in Government interference.

LORD G. BENTINCK said: Mr. Bianconi and his cars appear to be the standing stock in trade of the right hon. Gentleman (Sir Robert Peel). I am sure that it must be in the recollection of every man who was in this House in 1839, when the Government of Lord Melbourne proposed its scheme for assisting railways in Ireland, that, word for word, what we have heard for the last half-hour in the right hon. Gentleman's speech, was uttered by him on that occasion. Leave private enterprise, said the right hon. Gentleman, to take its own course in Ireland, and you will have railroads constructed the same as you have got Mr. Bianconi's cars. But, Sir, seven years have elapsed, and what has been the result? Why, Sir, this. You have in England 2,300 miles of railroad; in Belgium there are 375 miles completed; in Austria and Germany, 3,000 miles; and in the United States of America 3,300 miles; whilst Ireland, where private enterprise is left unaided by Government, has only 123 miles of railroad. Will the House, then, listen to this effete policy of the right hon. Gentleman? or will you agree with me, as Government aid has succeeded in Belgium—as Government aid has succeeded in Austria and Germany—and as Government aid has succeeded in the United States of America, that your wiser course is to come with the aid of Government to assist railways in Ireland; not to supersede private enterprise (for that I never proposed to do), the very principle and spirit of my Bill being this—that you should not supersede private enterprise, but that Government shall give its aid to stimulate and encourage private enterprise.

Sir, the right hon. Gentleman entered at great length into the finances of the country, and, as I imagined, was proceeding to show to you how my proposition would have the effect of inflicting heavy taxes on the country; but, though I listened patiently, I could not gather from him how it was that any tax or any burden of any description would be imposed by my Bill. The right hon. Gentleman has told you that it will require 7,000,000*l.* sterling, in addition to that which has been already spent, for the relief of Ireland, and that, for that purpose, some imposition must be placed upon the people of England; and to this he has no objection; but the right hon. Gentleman seems entirely to forget that these seven millions are to be paid for carrying on unproductive works, in respect to which there can be no return. Yet, whilst he is willing to spend 7,000,000*l.* sterling unprofitably, he seems to have no inclination to spend four millions of money raised on the credit of the Government, to which two other millions, under the provisions of my Bill, must be necessarily added by private capitalists to employ the people in productive labour; though I am prepared to show that of the 6,000,000*l.* not one-fourth, or one-half only, as has been asserted, but two-thirds of the sum, will be expended on the ordinary labour of the country. From the 7,000,000*l.* which the right hon. Gentleman proposes to raise, and says will be necessary to raise for the subsistence of the people of Ireland, to be spent on unproductive works, I have a right to say that my scheme, if adopted, would deduct 4,000,000*l.* That amount will be saved.

Sir, the right hon. Gentleman intimated to the House that Exchequer-bills were just now wavering between premium and depreciation, and it was more than possible you would have to raise the price, that is to say, the interest on Exchequer-bills. But the right hon. Gentleman, with his usual caution, prudently forgot to tell the House to what extent the interest would have to be raised. The right hon. Gentleman apparently did not deem it prudent to state to what extent the raising of 4,000,000*l.* would affect the public funds or the value of Exchequer-bills; for that is the question. The question is not how much 7,000,000*l.* would cause the funds to fall, or to what extent the raising the 7,000,000*l.* would reduce the premium on Exchequer-bills; but the question is, how much, by raising the 4,000,000*l.*, you will reduce the premium on Exchequer-bills. And the right hon. Gentleman also prudently forbore to tell the House to what extent the raising 4,000,000*l.* would throw down the funds, and reduce the premium on Exchequer-bills. Whether he means to say that it would reduce the premium on Exchequer-bills to any extent, or that the interest thereon would have to be raised a halfpenny, or even a farthing, per cent per diem, it is impossible for me to say. But suppose the right hon. Gentleman the Chancellor of the Exchequer should have to raise 4,000,000*l.* to be expended in profitable employment in this country, and suppose that this should cause the funds to fall to 85½, and raise thereby the interest of money to from 3¼ to 3½ per cent, and that he should be obliged to raise the interest on Exchequer-bills one halfpenny per cent per diem, then, I ask, in that case, what would the cost to the country amount to? Suppose there to be 27,000,000*l.* of Exchequer-bills in circulation, the cost would not exceed 200,000*l.* a year; but what did we hear last night from the Chancellor of the Exchequer? Why, that his "Useless Works" staff alone, constituting an army of 11,587 men, would cost 78,000*l.* a month; and yet this right hon. Gentleman, whilst he is willing to waste all this money, is shrinking back from a dread of incurring the necessity of paying 200,000*l.* a year more for increased interest on Exchequer-bills, to be consequent possibly on the expenditure of 4,000,000*l.* a year for four years, on reproductive railway enterprise. Though the right hon. Gentleman objects to this, he thinks nothing whatever of the 78,000*l.* a month, to be paid under the grant he contemplates for the maintenance of an idle staff, not for the benefit of destitute shareholders certainly; but neither is it for the benefit of the destitute poor.

Well, Sir, the right hon. Gentleman, in the latter part of his address, called attention to the ill consequences of Governments meddling in inland navigation matters; and with great candour took some blame to himself for the advance of the public money which had been made to the Royal and Grand Canals. Now, I certainly was not aware that the right hon. Gentleman was Chief Secretary of Ireland so long ago as the year 1789; for it was in that year that the Act of Parliament passed the Irish Legislature for constructing this canal; but if I am not wearying the House, I will read a description given in the Second Report of the Commissioners of the progress of these two canals. The right hon. Gentleman, with perfect candour, acknowledged that the reason these canals utterly failed was, that for a long way they ran parallel to each other. For fifty-six miles, they were never more than eighteen miles apart; for many miles, not more than four. Now, was it possible, under these circumstances, that these canals could pay? That competition which the right hon. Gentleman advocated once in the London and Birmingham Railway, was carried out with a vengeance in Ireland. The result was, the two canals starved each other. This is the report:—

> "This (the Royal) canal was begun in 1789, and owes its origin to the efforts of a director of the Grand Canal, who seceded from that company on account of some trifling differences, and resolved to form a rival company. Being a person of considerable plausibility and energy, he succeeded; and if the only object of the new company had been to injure the Grand Canal, they could not have devised a plan better suited to that end. They appear, however, to have overlooked the inevitable consequences to themselves of such ruinous competition. The sanction of the Irish Parliament was obtained for this scheme, without any apparent examination of the grounds on which it claimed support, or any calculations as to its probable success."

So it appears there was no calculation or estimate whatever; and the effect of such rash and inconsiderate legislation might easily have been foreseen. This was private enterprise. True it is that when this company got into difficulty, a jobbing Minister in Dublin lent the aid of Government to these influential private parties, but the undertaking itself was unaided by Government at its outset.

Sir ROBERT PEEL: The Government advanced 60,000*l.* in the outset.

Lord G. BENTINCK: The right hon. Baronet says that 60,000*l.* was advanced in the outset. I hold in my hand the report of the Commission, which states, Sir, that the first parliamentary grant was in 1791; the canal was commenced in 1789.

Well, Sir, the right hon. Gentleman, commenting upon the admirable speech of my noble Friend the Member for Stamford (Lord Granby), who showed the great advantage which might be derived to the fisheries of Galway from the introduction of railways into the west, said, if it was true that the poor fishermen could make 4,000*l.* per day, why did not they make the railways themselves? Just, Sir, conceive the poor fishermen—the poor fishermen of Gladdagh, engaged in the work of constructing a railway from Galway to Dublin. The right hon. Gentleman might have borne in mind that it was only last year that he himself proposed a grant of 50,000*l.* for the purpose of relieving these same poor fishermen. The right hon. Gentleman did not then think that they had sufficient enterprise to be left to themselves. The measure, however, was so bunglingly drawn up, that it totally failed in its effect. I am sure the House will remember that the Commissioners of Public Works, on the 23rd of June last, thus addressed Mr. Trevelyan:—

> "Very extravagant notions have been formed by some of the beneficial results likely to arise from the working of the Act to peculiar interests and localities; but we cannot avoid expressing to their Lordships our opinion that its machinery will be found too cumbrous, and some of its provisions too complicated and perplexing, to admit of the possibility of the benevolent objects of the Legislature being attained to anything like the extent contemplated or that would appear desirable."

That is the practical legislation of the right hon. Baronet; but, I trust, Sir, that in the simple Bill which I have introduced, no such cumbrous machinery, no such complicated and perplexing provisions, will be found to prevent our benevolent objects from being attained—that it will be found simple and easy enough to be worked practically out—and that it will save, as stated by the hon. Member for Kilkenny (Mr. John O'Connell), "one-fourth, if not one-third, of the population of Ireland from starving." Such was the ground laid down by the hon. Member for Kilkenny for the support which he is prepared to give my Bill. Sir, having already tried what can be done by private enterprise during the last seven years, the right hon. Baronet appears to be content to trust to private enterprise for another seven years, whilst the people of Ireland are in this frightful state of wholesale starvation. He has patience to wait another seven years before he will be prepared for a social revolution in the condition of the people of Ireland. The right hon. Baronet talked in general terms, without at all going into details, of the tax on the people of this country and of Scotland which would be necessary to enable the Government to grant these loans to companies; he totally passed over—and in that he followed the example set him by the three Chancellors of the Exchequer who preceded him—he totally passed over the financial statement which I made a fortnight ago to this House, in which I proved that the increased consumption of exciseable and custom duties paying articles, which would be created by the improvement of Ireland necessarily consequent upon the adoption of my Bill, would far more than make up for the increased expenses; that my plan would not take away from the taxes, or cause new taxes to be laid on; but, on the contrary, would add in Ireland alone 600,000*l.* or 700,000*l.* a year to the British revenue, without any increase of old or any imposition whatever of new taxes either in England or Ireland. But, Sir, as that exposition has now run the gauntlet of three Chancellors of the Exchequer, and also of an ex-Prime Minister, I think I may take it for granted that no one in the House will gainsay it. The right hon. Gentleman, by stopping my Bill, will prevent the addition of 600,000*l.* or 700,000*l.* to the revenue, without the imposition of any new tax whatever. The right hon. Baronet, following in the track of the right hon. Chancellor of the Exchequer, confirmed his statement that there was no railway in Ireland, except those on the eastern coast, where, said the Chancellor of the Exchequer, there was no distress. It may, Sir, be very true that the completed railways, and those in the course of construction, are chiefly on the eastern coast; but may it not be well to consider whether the absence of distress there has not been the effect of the construction of the railways? Seventy miles of railway have been sanctioned between Dublin and Wexford; another seventy from Drogheda to Portadown; thirty or forty miles more from Belfast to Coleraine—these are all that remain to be completed on the eastern coast. The whole of the remaining thirteen hundred miles in extent, which I calculate have yet to be constructed, run either due west, south-west, or north-west, in the very districts where the greatest distress prevails. I should like to ask, Sir, what part of Ireland has shown a blacker picture of misery than the county of Cork? Yet from the city of Cork no less than four railways diverge. A Bill is now before Parliament to make another railway from Athlone to Galway, traversing part of the county of Roscommon. My Bill includes not only railways for which Acts have been obtained, but railways "for which Acts may be hereafter obtained," so that this undertaking, from Athlone through Roscommon to Galway, will feel its influence; and, as it is unopposed, I have no reason to believe that it will not receive the sanction of the Legislature. It is also well known that a branch from the Dublin and Mullingar railway is projected through the county of Mayo to Castlebar and to Westport. And, Sir, a Bill was passed last year for the making of a line from Longford to Sligo; but the company could not raise the money, and it is now abandoned. But, Sir, I have been assured that, if my Bill receive the sanction of the Parliament, a Bill will forthwith be brought in, and that a railroad would be made, and so would railroads in every part of Ireland. Let my Bill pass, and there will not be a county in Ireland which will not be traversed by railways. The right hon. Baronet hinted to you that there will be a great difficulty in raising the 4,000,000*l.* annually which will be necessary under the Bill—he did not venture boldly to state the fact, but he wished the House to understand that there would be great difficulty in raising the 4,000,000*l.* which my Bill contemplates. Sir, we can all remember that in the time of the war, for three successive years, we spent 103,000,000*l.* annually without experiencing any very great difficulty. It might have occurred to the right hon. Baronet that last year no less than 11,000,000*l.* of railway deposits were locked up in the Court of Chancery, waiting for the passing of the Bills then before the Parliament. The right hon. Gentleman might have remembered that, in the last Session of this Parliament, the Legislature passed Bills authorizing and empowering parties to raise 122,000,000*l.* during the next five years. What, Sir, had been the effect of those measures on the funds? The three per cents in December were 93; and in June, after many of those Bills had passed, and the rest were all before the Legislature, the same stock was at 97. It has been said the annual savings of the country are between 50,000,000*l.* and 60,000,000*l.*; surely, then, we can, without hazard, raise and employ 4,000,000*l.* sterling in a year for the improvement of the country without lowering the price of the funds. The loan of 15,000,000*l.* in 1835, for the slave compensation, was raised without any prejudicial effect on the funds: no man, therefore, with any pretension to credit, can say that 4,000,000*l.* a year for four years could not be raised with equal facility, and without any derangement of the money market, which ought for one moment to be weighed against the welfare or starvation of the Irish nation.

The right hon. Baronet said, private enterprise had always failed in Ireland when stimulated by public assistance. Is the memory of the right hon. Baronet so short that he cannot look back to what took place between 1822 and 1828? Has he forgotten that it is stated in a report on the Table of the House that, during that period, an outlay of 140,000*l.* took place in the west of Ireland, in the counties of Galway, Mayo, Clare, Cork, and Kerry—an outlay which had raised the revenue of three towns, from which none had been received before, to 6,000*l.* sterling a year. It raised the revenue in these three small ports and towns alone—Clifden, Kilhenan, and Roundstone, where none had existed before, to 6,000*l.* a year, representing an amount of capital greater than the whole of that which had been laid out in the course of those six years by the Government, in the entire west of Ireland. True it is, that the Government of another day thought fit to spend something like 1,500,000*l.* upon the Caledonian Canal, which was a dead loss to the State. But why was that? Because the Government of that day did not act on the principle on which we are now proceeding. The Government of that day did not apply its money in aid of private enterprise to stimulate exertion, but selected, undertook, and executed the work itself. By the measure before the House, no attempt is made to interfere with the management of railways beyond this—that a condition is annexed that the companies shall provide suitable dwellings for their labourers. The right hon. Gentleman has told us, that it will not be easy to bring labourers from the distressed localities; but, I do not see why, when a suitable provision is made for them, you should not procure them from Mayo, and Galway, and Athlone, for the South Western Railway, or any other that may be in the course of construction, as easily as they can repair to Liverpool, where they are now flocking in thousands. In the county of Cork the distress is very great. In Skibbereen and Bantry there have been fifteen inquests per day. The fare from Bantry to Cork is not more than 1*s.* If there is an overplus of labour in Skibbereen, where is the difficulty in sending them to Cork, where, if my Bill passes, there will be four railways in progress towards construction in the course of a fortnight? My hon. Friend the Member for Lincoln (Mr. Collett) the other night said, and as a director in them he spoke with authority, that if the Government had assented to the Bill, he would have undertaken, eight days ago, to give employment to 50,000 men on the railways in Ireland; and amongst the railways upon which he would employ this great number, he mentioned the Belfast, Drogheda, and Navan Junction, as one on which he would have set to work, by last Monday week, seven thousand men.

I have received a letter since the Bill was introduced from one of those kind and benevolent sisters of charity, who, fearless of contagion, regardless of self, have done so much to assuage the miseries of Ireland. This letter is written by a lady with whom I have no acquaintance, a daughter of the Protestant Bishop of Meath, Miss Stopford, an honour to her country; and how does she depict the distress which exists? She thanks me, in the name of the Irish people, for having brought forward the measure; and in order that I may believe the real state of things in that part of the country, which she says language cannot reach, she sends me a sketch of the horrors which are common in the country. And what does it represent? It represents a family of eight persons, the roof broken through—no fire in the chimney—the woman of the house just dead, after child-birth—a child five or six years of age lying dead beside her—the father of the family covered with nothing but a shirt, also dead, lying on the straw, with the rats hovering about him, and ready to feed on his carcase. The child—the wretched new-born baby—is also without covering, whilst another young child is in the death-staggers. [*The noble Lord held the sketch in his hand.*] This, she says, is but a faint picture of what is seen every day; and this is the state of things now existing in Navan, the very town in which my hon. Friend the Member for Lincoln would have employed 7,000 men eight days ago. Are we, then, to set the chances of losing a farthing or a halfpenny per cent in the price of Exchequer-bills, against the lives of the Irish people? It has been shown, wherever railway works are in operation, that no distress exists. I trust the House will show its pity for these unfortunate people; and I think, when I read an extract from a letter to the Bishop of Meath, the greater portion of it will be touched with pity and compassion for the people of Ireland. The Rev. Mr. R. Winning, in a letter addressed to the Bishop of Meath, says—

> "If you can do anything to help us, I will ever bless you: what to do for our starving people we know not; by over-exertion and exposure to cold, I have unfortunately been confined to bed for three weeks: it is so painfully heartrending to see the excess of misery; to see, daily, hundreds fasting and shivering at your door, and be without the means of helping them: I buried the father and son one day last week, and the poor mother followed them the next day; yesterday a wretched mother carried her dead child through the parish to raise money to buy a coffin: thousands, 1,000 in my parish, of Romanists, as well as our own starving people, are looking to me for help: it sinks into my heart: these, when they have any food, exist on one meal a day, of a little meal mixed with cold water (turf and clothing are gone for the most part); but, thank God, the endurance of the populace is wonderful: they are advised by us, or what must ensue, if prices are not lowered, or wages raised proportionably, outrage, robbery and death would have long since ensued among the people here: but when they come to me in hundreds, emaciated for want of food, and I say to them, 'Oh, boys, why do you come to me when you know that I have not the means to feed you;' they answer 'only because we know you pity us!'"

Now, here is a measure proposed which will be of greater service than any other which has yet been proposed to Parliament. Will you, for fear of making a slight derangement in the money market, withhold your assistance from these people? I have numerous other cases, but they are merely a repetition of descriptions of similar miseries. The hon. Gentleman the Member for Mayo, Mr. Dillon Browne, the other night, objected to my measure. I certainly shall not follow him into the extraneous matters into which he entered. I am content with the virtue of the Bill itself, and nothing shall provoke me to travel out of the record. Nothing in the present state of Ireland shall induce me to import any germ of a party nature into the subject. But if the hon. Gentleman the Member for Mayo thinks this measure will not be of benefit to his own county, or if he thinks that because I voted, as he is pleased erroneously to imagine, against Catholic Emancipation and against the Reform Bill, nothing, however good it may be, should be accepted at my hands, I take leave to say in answer to the last observation, that it is to me a source of great satisfaction and great gratification to think that I am able to tell the hon. Gentleman, that I have received the unanimous thanks of one of the largest meetings that ever assembled in the county of Mayo, and that that vote of thanks was moved to me by a Roman Catholic, whilst the Roman Catholic Archbishop of Tuam (Dr. M'Hale) was present at the meeting. I trust the hon. Gentleman will change his course, and be content to follow the example of this his high-minded and excellent Prelate. As to the effect of the measure in Mayo, I will now, Sir, with your permission, read a letter which I received to-day from a gentleman with whom I had no previous acquaintance, a resident Baronet of the county of Mayo. The gentleman is Sir Samuel O'Malley, and he says—

> "The measure which your Lordship has proposed would do more good to Ireland, and relieve more people from distress in one month, than all Lord John Russell's measures put together would in a thousand years."

He continues—

> "Your Lordship's measure would give immediate and great present relief, and cause continually increasing permanent employment and improvement, without adding to the distress of any."

Now, Sir, when these statements are made —when parties who are acquainted with the feelings of a majority of the people of Mayo speak thus—I trust I may have the vote of the representative of that county on this occasion. I have to-day, Sir, also had the honour of presenting to the House petitions from Newry and Armagh; and I received at the same time a letter from the coroner of the latter county; and this coroner is also a poor-law guardian. I will read that letter. He says—

> "I take the liberty of sending herewith a petition from the inhabitants of the town of Newry to the House of Commons, in support of the principle of the Bill introduced by you, for the encouragement of railways in Ireland. There is no difference of opinion here relative to that measure. People of all shades of politics in this locality concur in the opinion, that it is the only measure which will confer anything like permanent relief to the people of Ireland. Let the consequences be what they may, the people here will be under lasting obligations to your Lordship by pressing forward that measure. I am not a railway speculator, nor have I the good fortune to agree with your Lordship's politics generally; yet, on this subject, I express the unanimous opinion of those who agree with me, as well as of those with whom I differ, that the measure introduced by your Lordship is the only scheme yet propounded, calculated to meet the emergency in which this country is placed—open the resources of the country—improve the condition of the people—enhance the

> value of the soil—and bind this country to England with ties which never can be severed. The petition I send was got up at very short notice, and received the signatures attached to it in a very brief time; similar petitions are being got up in Armagh, and various other places. In a very few days the sentiments of universal Ireland will be expressed in favour of your Lordship's measure."

I have before me several letters from Dublin and from Cork to the same effect; and I think that if the Irish people understand their own affairs, I may safely assert that this is the only scheme which can do them good, and that I am entitled to press it on the consideration of the House. I do not propose to make a sacrifice in the shape of a grant to Ireland, although the right hon. Baronet near me has talked of making such grants. I only ask the House to consent to a measure which will give to industry and enterprise in Ireland a clear stage and no favour—a measure which knows no private interests, and by which no individual companies are unduly encouraged, by which all such as are ready to help the country by giving employment to the people, will receive impartial assistance at our hands.

I wish now, Sir, to answer a few of the objections taken by the Chancellor of the Exchequer, who I am deeply grieved to find has been obliged by ill-health to leave the House. I entertain strong feelings of friendship towards my right hon. Friend; but if it were otherwise, I would take care not to say anything in his absence under such circumstances calculated to hurt his feelings; notwithstanding the observations he made in the outset of his speech on this subject. But I must, however, say that I can, and that I am prepared, to contradict every statement he has made; and to prove that from first to last, his facts have no foundation. One of the statements which my right hon. Friend made was this; that the measure would put the bad and rotten lines on an equality with the best, which would create great unfairness, and do away with the proper reward of wise enterprise. That, Sir, is not at all the object or end, neither can it possibly be the operation of the Bill which I propose. The strong lines can take care of themselves to a certain extent, though that which is called the London and Birmingham line of Ireland—the Ulster line—drew its slow length along for ten mortal years before it was completed. The railway is only twenty-four miles in length, but it took ten years to complete it. But my object is to improve the whole of Ireland, and to leave no part of Ireland without the benefit of railroads. It is necessary, therefore, that I should propose better terms than those proposed by the Irish Gentlemen to the Government. I believe that the terms proposed by them would have reanimated the Great South Western, the Waterford and Limerick, the Cork and Passage, the Athlone and Longford branches of the Dublin and Mullingar, and one or two other lines on the eastern and northern coasts; but I believe that these are all which would have been completed by the proposals made to the Government by the Irish Gentlemen. Now, it is my special object to make railroads general throughout Ireland, to carry out every line which offers a good security to the Government; that is to say, which would give 3½ per cent interest "on two-thirds" only of the entire cost of construction; but when you say that I put weak lines upon an equal footing with the best lines, it is totally contrary to the fact. Sir, take the case of a line which has cost 16,000*l.* per mile, of which the gross traffic is 622*l.* That is less than the lowest railway in Great Britain or Ireland; indeed, I believe I may say, it is less than the lowest line in Germany, Austria, or Belgium. It is less also, than any in the United States of America. It is less, too, by something like five-sixths, than the average of lines in Great Britain in 1845. The line that has 622*l.* a mile gross traffic, would be ample security to the Government; that is to say, after deducting 40 per cent for working expenses, it would pay the Government at 3*l.* 10*s.* per cent on two-thirds of the cost of its construction, being the capital borrowed from the State—but it would pay nothing to the share-capitalist. With respect to the observation which fell from the right hon. Gentleman the Chancellor of the Exchequer, I may say that unless the share-capitalists made most desperate exertions, they would get nothing for their borrowed money, because the Government must be paid in full before the share-capitalists got anything.

Well now I will take the case of another line. I will assume a line that has about the traffic of the Great South Western of Ireland, that pays something over 1,000*l.* gross traffic a mile: this, after deducting, as in the former case, 40 per cent for working expenses, such a line would give 5*l.* per cent on the entire capital. The Government in that case will be entitled to receive 7*l.* out of 15*l.*, which out of a gross traffic of this amount, would be the dividend to be divided on every 300*l.* This, Sir, would leave an 8*l.* dividend for the shareholders on a good line like the Great South Western? A weak line, on the contrary, which by means of the encouragement of this Bill I might cause to be constructed for the advantage of the people of Ireland, which only paid 2*l.* 6*s.* 8*d.* per cent upon the entire cost of its construction, after paying the Government 3*l.* 10*s.* per cent upon two-thirds of its cost, namely, upon the capital borrowed of the State, would leave nothing whatever to the share-capitalist, nothing but a blank to those speculators and gamblers of whom we heard so much on Friday. On a good line, which pays 5 per cent on its entire cost of construction, there will be a dividend of 8*l.* per cent to the private speculator. No dividend whatever to him, on the bad line, which pays only 2*l.* 6*s.* 8*d.* per cent on the entire cost; perfect security, nevertheless, to the Government. Well, then, what becomes of your argument, that my Motion is one which is to excite gamblers to embark their capital, their property, and their influence in executing railroads by the aid of the Government, which they know beforehand must turn out to be bad speculations! It is not at their option to decide whether they shall receive Government aid or not. When they have undertaken a line, it will not be at their option to insist upon the Government advancing the money. It is to be a subject of supervision by the Railway Commissioners. The Railway Commissioners, responsible to both Houses of Parliament, are to advance the Government loan upon their responsibility. Certainly, the right hon. Gentleman is entitled to his old partialities; and as an ex-First Lord of the Treasury, may think very lightly of these new creations; but still they are a body paid by the State, and responsible to Parliament. For them the Government of the day is responsible; and if, as my right hon. Friend the Chancellor of the Exchequer said the other night, those Commissioners should be so wanting in their duty "as to lay down a general rule, either to refuse to grant Government aid to all the lines, or to grant Government aid to all without discrimination, whether the security was good or not," I can only say Parliament would not meet a week before there would be an address to the Crown to remove such incapable officers, and probably also to remove the Ministers who appointed and dared to uphold them. Sir, the right hon. Gentleman said he had read the Bill attentively, and would take care to mis-state and misrepresent nothing; and he told you after he had read it, that there was no provision for "security" made in the Bill.

Sir R. PEEL: A certificate is to be made to the Treasury.

Lord G. BENTINCK: The right hon. Baronet says he spoke of "the certificate." Why, that was something like, I wont say a quibble, but it was something very like special pleading, because the Railway Commissioners are to report before they sign the certificate, that "there is reasonable security." Not one word is there however, said he, about "reasonable security." Then the right hon. Baronet spoke of beneficial employment, and of everything else but the point at issue, which was the necessity for the Railway Commissioners to report before they signed the certificate that there was a "reasonable security." Sir, I think the next point that my right hon. Friend the Chancellor of the Exchequer touched upon was this, that there was a provision in the Bill which was evidently intended for "destitute shareholders;" and the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn), followed in the same strain; and I believe, also, the right hon. Baronet the Member for Tamworth. They said that there would be a higher class of mortgagees than the Government, who would have security upon railways; that the Government was not to take priority of them. It must be known to every Gentleman in the House who knows anything of railway matters, that before a company is in a condition to borrow at all, half of its capital must be paid up. So that half the capital must be paid up before any mortgagees can come in to claim in preference to the Crown; and, therefore, the Government is no longer in the same position as it would be under the provisions of this Bill, authorizing it to lend 200*l.* on the security of 100*l.*: more than half the estimated cost of the railway, and half the capital of the company must have been expended before the Government could have been asked even to lend 100*l.* in the case referred to by the late Chancellor of the Exchequer (Mr. Goulburn). But the real truth of the matter is, that there cannot be at this time at the most above three railways in

Ireland which would be in that position; and those would be railways with respect to which the security cannot be doubted. Sir, I think the next point that my right hon. Friend touched upon was the employment of the people. The right hon. Baronet (Sir Robert Peel), if I understand him aright, concedes to me the good which we allege the construction of railways in Ireland would do in respect to the employment of the people to the extent we allege, and admits that, on this point, we have proved our case. But not so the Chancellor of the Exchequer, who made the extraordinary statement on Friday night, "that the average number of men required for the construction of railways did not exceed from 20 to 30 per mile for two or, at most, three years!" Why, Sir, it would take almost that number to make a turnpike-road! This was a statement made upon the authority of that "Great Unknown"—whose real name, I should guess, we shall never hear. I am sure it was not Mr. Brunel, because I have by me a copy of the report which that gentleman has made to the Government, in which he says that of the lowest and commonest order of labourers on the Tramore line, he would undertake to employ on seven miles of road from 800 to 1,000 men. Well then, I am sure that the Chancellor of the Exchequer did not get his authority from Mr. Brunel. Mr. Brunel also says—"It is notorious that the whole amount of money paid in wages for this class of labour is spent upon the spot, and that naturally and necessarily the surplus labour of the neighbourhood is always absorbed before a supply is drawn from elsewhere."

Why, Sir, we have not only Chancellors of the Exchequer coming forward on this occasion, but also the hon. and gallant Admiral, the Member for Marylebone (Sir C. Napier), who told us that the common labourers of Ireland were incapable of performing those works, and that English "navvies" would have to be procured from this country to construct the Irish railways. Now, Sir, there is no man who has a greater respect or admiration for the hon. and gallant Admiral than I have, when he is in his proper sphere. If Commodore Sloat, with the assistance of General Taylor, should first conquer Mexico, and next seek to pounce upon the British West Indies—or if the Prince de Joinville, as he once threatened to do, should try to come with a French fleet up the Thames to sweep the Pool, I know no officer whom I would sooner see commanding our fleet than the hon. and gallant Admiral. But the moment the hon. and gallant Admiral steps over the gangway on dry land, though it be only into the dockyard, he is as much out of his element "as a fish out of water." All recollect the diatribes which we used continually to hear from the hon. and gallant Officer in this House against the ships built by Sir W. Symonds, and the lessons in shipbuilding he used to teach us. Now, I understand that, worn out by his importunities, either the late or the present Admiralty at length authorized the gallant Admiral to turn amateur shipbuilder, and to build a steam-frigate after his own fashion. No time was lost. The frigate was built, and in honour of the gallant Admiral she was called *The Sidon*. Well, Sir, *The Sidon* went to sea, when being caught in a gale of wind she was seen to roll so furiously, that the jolly tars of Her Majesty's navy, who are comical fellows, rechristened this celebrated frigate—why I leave the House to guess—*Drunken Charlie!!!*

But I beg pardon for this digression: we are now debating about the employment of the people. Since I entered the House to-night, I have received two letters on the subject. One, I believe, is from the director or secretary of the Waterford and Kilkenny Railway, and is addressed to the brother of the hon. and gallant Member opposite, the Member for Carlow (Captain Layard). The Chancellor of the Exchequer stated that the Waterford and Kilkenny line did not employ the labourers of the locality. The writer states—

> "In reply to your question as to the truth of the statement made by the Chancellor of the Exchequer on Friday night, respecting the employment of labourers on our line, I can tell you that such statement is not borne out by facts, and must have been made on erroneous information. The contractors employ all the able-bodied labourers they can find on the spot; and in a conversation I had with one of them (Mr. Hammond) only three weeks ago, he assured me that the relief committee at Thomastown was a "sinecure," except when the weather was too bad to admit of full work on the line. Mr. Hammond used the same language with respect to other parts of Ireland where he had contracts."

The other letter which has been forwarded to me is from Thomastown, and is signed by a Mr. Wandesforde, who states—

> "If it would be of any use in forwarding Lord G. Bentinck's Bill, you may state that the workings on the Kilkenny and Waterford Railway at Thomastown, two miles from this, have been stopped for want of funds, and the workmen who

> have been employed there are now going from house to house in a large body insisting on food or money. This is not very agreeable, and an additional force of police has been applied for to the inspector at Kilkenny, and likewise some military."

The effect, therefore, of the railway being under construction was, that the relief committee had a sinecure; they no sooner stopped for want of funds, than a reinforcement of police and military were necessary to keep the peace of the place. I have also another letter. [" Divide!"] I beg pardon of the House for so long detaining them, but it is a question of vital importance to Ireland. You have at this moment thousands starving. The hon. and learned Member for Cork told you the other night that already 25,000 Christians had perished from starvation; that 2,000,000 more would follow from pestilence, the consequence of famine; and I do trust, late as it is, and great as has been the indulgence of the House, that you will allow me, to the best of my power, to prove to you—not to Irish Gentlemen, I believe I need say nothing to them, they know the state of their unfortunate country—but to English Gentlemen, that the measure which I propose would employ the people of the country. I have a letter from the secretary of the Midland Great Western Railway—the only line that has not been touched upon, in which he says—

> " I have observed with much surprise, during the discussion on the second reading of your Lordship's Bill for the encouragement of Irish railways, that several hon. Members assumed, a great proportion of the labourers employed were not local labourers, but came from remote districts, and many from England and Scotland. From my professional connexion with a railway which is the second in extent and importance in Ireland, viz. the Midland Great Western, I am in a position to give an opinion quite at variance with that to which I have referred. The first contract, twenty-six miles, was let to a Scotch contractor, Mr. Jeffs, who, with the exception of a few gangers, waggon-tippers, and superintendents, employed the local labourers, who only required, according to the report of Mr. Jeffs, a little practice and better food to enable them to compete with the labourers to be found on the English and Scotch railways. The best proof which I can give your Lordship of the employment of the local population is, that during the last harvest the number of labourers on the works were reduced fully forty per cent; and the engineer was under the necessity of giving the contractors some indulgence, in order that their works should not interfere with the saving of the harvest."

This is the opinion of a person competent to judge; and therefore I beg hon. Gentlemen to observe, that these railways do not prevent the men employed on them from going to harvest in harvest-time, and they are the identical men who are thus employed in the harvest. The letter proceeds—

> " The two other contractors employed by the company are Irishmen, and the workmen engaged by them are almost exclusively local; in proof of which, I have to state, that I witnessed within a few months since, in the town of Mullingar, a partial strike amongst the labourers, because some residents of the adjoining county (Roscommon) were employed on the works. The directors have kept in active employment, since the month of August last, about 3,200 men per week, and could easily employ 6,000 in addition for the next fifteen months, for the construction of the line to Athlone and Longford. The directors have a Bill before Parliament now, for an extension from Athlone to Galway, which when completed, will bisect Ireland, and as it were, connect the Irish sea with the Atlantic Ocean. I need scarcely say, that your Lordship's plan would ensure the speedy completion of this great national undertaking, instead of permitting it to remain incomplete for several years, like the Dublin and Drogheda and Ulster Railways."

As to the line to Galway, the right hon. Baronet seemed to doubt that it would be possible that so large a quantity of fish could be caught on the shores of Galway. [Sir ROBERT PEEL signified his dissent.] The right hon. Baronet does not doubt, then, that 4,000*l.* of fish may be caught on the shores of Galway; but he says, if so, how comes it that railways have not been constructed? I apprehend there is no more fish in Galway now than there was ten years ago, and yet there were no railways, and it is necessary to apply the stimulus of Government and to procure a railway.

Seeing the hon. Member for Roscommon in his place, I beg to call his attention to this important point. I wish to touch gently on the subject; but having had the honour of meeting upwards of fifty Irish Members of Parliament this day fortnight, assembled no very long way from this House, and having received their unanimous thanks for the proposition I made, and having been present whilst unanimous resolutions were passed appointing the Earl of Fingall, Mr. Daniel O'Connell, and Mr. George Hamilton a deputation to wait upon the noble Lord at the head of Her Majesty's Government, with the purpose of insisting upon his giving up the Government night, the very next Friday, for the discussion of a measure acknowledged unanimously by them to be of vital importance to Ireland—I confess I am greatly surprised at the dissension that appears, by some mysterious interference of Government, to have been created amongst the Irish Members. The hon. Gentleman was one of my warmest supporters. [Mr. F. FRENCH was understood to intimate his dissent.] I suppose I misunderstood the hon. Gentleman; but certainly I thought I understood him distinctly to say "that come what would, he would support my Bill;" but I was going to call his attention to the fact, that there is now a Bill before Parliament for a railway, which will traverse the county of Roscommon; that Bill is unopposed, but I am assured that unless this measure passes, so hopeless would it be for the company to obtain money without the aid of Government, there would be no prospect of Roscommon getting a railway completed at all, at least not for a number of years, as was the case with the Ulster, Dublin and Drogheda Railways, which hung fire, and could not obtain money to complete them for eight or ten years after they obtained their Acts. But on the subject of the transit of fish, and the value of railways for the accomplishment of that object, I have to call the attention of the House to a document which I think will relieve the doubts of the hon. Member for Roscommon, and of every other Member who may be sceptical as to the advantages of railways in this respect. I hold in my hand a return of the quantity of fish carried by the Midland Counties Railway of England during the period of one year—of the year which has just expired. It will be recollected that this railway is the means of communication from Hull, Whitby, Scarborough, and the northern districts of Yorkshire. It appears that in the course of last year the quantity of fish carried on the North Midland line south of York, amounted to 9,502 tons, 16 cwt. Now, supposing that this fish was only worth *3d.* per pound—and the calculation is a moderate one—its value per stone would be *3s. 6d.*; and if we multiply the entire quantity according to the rules of vulgar arithmetic, we shall find that no less then 266,056*l.* is the total value of the fish conveyed upon the North Midland line during a single year; and but for the railway, a great part of that fish would have been wasted. I state this fact in elucidation and illustration of the speech of my noble Friend (Lord Granby) who sits behind me. The point as to the employment of labourers has been so much disputed, on the other side especially, that on that subject I beg leave to read a letter from Mr. Robert Stephenson. He says—

"Being obliged to leave town this afternoon, must be my apology for making my remarks brief. The statement that from twenty to thirty men per mile are sufficient to execute any average railway in three, or even in four years, is so monstrous, that I am satisfied it could not have come from any competent engineer. The London and Birmingham occupied about four years to execute, and the number of men varied from 10,000 to 15,000. At the Kilsby tunnel alone, which is one and a half miles in length, we had for upwards of two years from 1,200 to 1,300 men. On the Blisworth cutting, in Northamptonshire, about two miles in length, about the same number were engaged for a like period. The same remark applies to the great chalk cutting at Tring. The average number of men employed on the line throughout three years cannot be taken at less than 100; but this conveys an incorrect notion of the actual number of labourers deriving employment from the London and Birmingham Railway, because it only represents the number actually employed between the fences. Besides this number, you must add all kinds of local artificers, in constructing and maintaining the contractors' implements, which were never included in the returns which the company received from time to time from the contractors."

Mr. Stephenson then goes on to state that—

"On the Manchester and Leeds Railway, for a considerable portion of three years, which is fifty miles, fully 10,000 men were employed, which gives 200 men per mile. The North Midland Railway is similar in character to the last mentioned line; I cannot state from memory the exact number, but I am confident it could not fall much short of a similar average. The Trent Valley Railway, now in progress between Rugby and Stafford, is fifty miles long; and there is at this moment about 5,000 men employed upon it. This is a remarkably easy line, and consequently approaches more nearly the average which would be required in Ireland. Without, however, depending upon statements of this kind, the amount of money to be spent in labour on the Irish lines, affords an excellent and indisputable test of the number of men that will be required. Take the total cost at 16,000*l.* a mile of this, all is spent in local labour, except the following items:—

Land, say	£1,500
Rails and Sleepers	3,500
Engines which would be made in England	1,000
	£6,000

The production of these articles, except land, implies a vast amount of labour in England, and consequently, productive of much good at home. The whole expenditure of a railway, is, in short, labour, except law, land, and timber; in this particular, it is impossible to conceive any description of public work better calculated to meet the exigencies of Ireland, than railways."

The production of these articles, to which reference is here made, will employ a great number of labourers besides in England, and, consequently, would produce much good, even here, at home. So, when you say this measure, which I introduce for the good of Ireland, is calculated to render it necessary to raise fresh taxes on the English people, the truth is, that far from taxing it serves the English people materially; for, so far as the manufacture of locomotives is concerned, I believe Manchester and Newcastle are the only two towns in which they are constructed, and the carriages are made in London and elsewhere; so that the great towns of England would have their share also in that expenditure; but every expenditure of this kind adds to the revenue of the country. Mr. Stephenson further goes on to say that—

> "From the statements I have made, it would appear that, according to the proposal of your Lordship's Bill, that the one-third subscribed for by shares, would be nearly all spent in England in producing rails, engines, &c., and the remaining two-thirds to be advanced by Government, would literally be employed in paying for local Irish labour."

So that every farthing which I ask the Government of this country, by my Bill, to lend on good security, will be employed either in local labour for the benefit of the people of Ireland, or otherwise usefully. The letter to which I refer, goes on to say—

> "I trust your Lordship will excuse these hasty notes; but I trust they will suffice to rebut the assertion that, twenty or thirty men per mile are sufficient to absorb the labour required in the construction of railways in Ireland. Turn the matter as you will, other questions resolve themselves simply into this—how many men, and during what period, will 10,000*l.* per mile employ, at 15*s.* or at 12*s.* a week? This, worked out, appears to me to put the matter beyond controversy."

If I were going into Committee on this Bill, I would beg to read another letter to the House which I have received on this subject of the expense of railways from Mr. Stephenson. Mr. Stephenson in this last letter says, that if the object be to employ a still larger number of labourers, it might be easily obtained, and double the number of labourers employed at little or no more cost to the companies, by introducing a provision into the Bill obliging the companies to purchase a trifle more land for spoil and for side cuttings; so that the entire of the earthworks might be accomplished by men alone with spades and barrows, without the aid of horses or carts—the earth excavated from the deep cuttings being wheeled out to what is called "spoil," and the embankments being made from side cuttings. But it has been objected to me, on the one hand, that I should employ no Irish labourers, and, on the other, that if I employed all the labourers on railways, the fields would remain unsown, and that consequently the next year's harvest would be defective. If those Gentlemen will read the Report of the Poor Law Commissioners, they will find the Poor Law Commissioners report, that where two men are employed in agriculture in England, five men are employed in Ireland upon the land; and that when all is done, the five Irishmen get no more out of the land than the two Englishmen do, so that if they were well paid and well fed in Ireland, there would be enough of men to do all the work necessary for agricultural purposes. The right hon. Gentleman opposite (Mr. Labouchere) seems to doubt this. He has left all the work of the present debate, however, to the Chancellor of the Exchequer, and he may be able to inform us of the fact of this matter.

Well, Sir, ["Divide, divide!"] I have now stated what I intended relative to one portion of the Irish railway question; but I have another short letter to which I wish briefly to call the attention of the House, and which I only received to-day. I really am very sorry to be obliged to trespass so long on the impatience of the House; but this is a great and important question, and as it is one in which the lives of one or two millions of people are concerned, I do trust that hon. Gentleman will have a little patience. I have received a letter from a gentleman, living at March, in the Bedford Level, on the subject of the practical benefits conferred by the construction of railways in an agricultural district, which is so forcibly expressed, and so much to the point, that I hope the House will permit me to read it, and I promise it shall be the last. It has reference to the Peterborough and Ely Railway. This gentleman says—

> "A line of railway from Ely to Peterborough was opened on the 14th ultimo, and during the construction last winter and this absorbed much labour of every description, and made this place in a flourishing condition, not only as regards the common labourer but the artisan, tradesman, and higglers (men who keep a cart and one or two horses). Lord John Russell observes truly when he states that railways take the able-bodied; but that makes room for others that would not be employed; and such men last year and this have found employment at 10*s.* and 12*s.* a week, who but for the railway would become either chargeable to the parish, or be obliged to work at 8*s.* a week. There has been a very considerable consumption in all articles both agricultural and

exciseable. The butchers have given ½*d* per lb. more for mutton than could be obtained in Smithfield. The value of land has been enhanced, and also the rent of houses. This is purely an agricultural town with about 6,000 inhabitants. A friend of mine tried to sell his wheat at Wisbeach on Saturday (the market day), and sold it the Monday following in London by railway at 6*s*. advance per quarter; he grew five quarters per acre, which makes exactly a rent difference. Some of the close-fisted farmers are not quite satisfied with the railway, as they are obliged to give for inferior labourers as much as they formerly gave for the best, forgetting the saving in poor's rates, the better condition of the people, and the satisfactory state of the poor in general."

Thus we see how employment was extended by railways. But this is an account of the operation of railways in this country; and if such is the effect of railways in the fens of this country, I think we may presume that they will produce quite as beneficial an effect in Ireland. My right hon. Friend the Chancellor of the Exchequer said, that the effect of my Bill was to lower the price of shares in Ireland. But I confess that I heard that statement with considerable surprise. I find it stated, in a recent account of the Belfast share list, "that English shares had given way, but that the new Irish shares were commanding more attention, in consequence of the hope of Government aid." Well, but I should have done nothing if I had not reanimated the Irish railway shares. I shall not trespass upon the time of the House with the reading of any more documents, although I could bring forward many others in support of this measure. I am satisfied, however, to understate rather than to overstate my case. My right hon. Friend the Chancellor of the Exchequer used another most extraordinary argument against me when he said that some Irish gentlemen had come to him and had asked for a loan of 5,000,000*l*. to be added to their own 10,000,000*l*., by which means they said they could give employment to 100,000 men; whereas I ask for 16,0000,000*l*., with 8,000,000*l*. of private share-capital, with which I promise to give employment to 110,000 men. Now, I do not think there is any very great discrepancy between the two statements; and I believe I may claim the confidence of the House for not having shown a disposition to overstate my case. I am satisfied from strict inquiries that I have made, that instead of finding employment for only 110,000 persons in the construction of the railways, I could show that, according to the Chancellor of the Exchequer's statement, every million sterling spent on railway labour would employ 45,000 labourers—that at least 180,000 persons would be employed, were this measure to be carried. Thus the means of subsistence would be provided for not 550,000, but for 900,000 persons.

There is another point, and a very important one, to which I must allude—I mean the point of the security which would be offered for the repayment of any advance that might be made for the construction of Irish railways. ["Divide!"] Now, I think, that if I can show that all the railways in Austria, Italy, Belgium, and the United States—I think if I can show that all the railways in these countries, from their traffic, would have offered ample security for the repayment of such advances as I propose should be made to the Irish railroads, I shall have made out my case; and when I tell you that the population in Ireland is denser than in any of these countries, except Belgium, I think I have a right to assume, that the railways of Ireland will pay as good a dividend as these foreign railways, and will afford a good security for the repayment of the money advanced for their construction. The right hon. Gentleman the Member for Portsmouth (Mr. F. Baring) was very much excited at the idea of my seeking to borrow, as he was pleased to say, "hand over head" 16,000,000*l*. for the purpose of executing these Irish railroads. But I cannot forget that in the year 1839 that hon. Gentleman himself supported a Bill similar to this one, and asked an advance of 5,000,000*l*. for the construction of Irish railways, at a time when there was a deficiency of nearly 2,000,000*l*. in the Exchequer, and when there was not more than 4,000,000*l*. of bullion in the coffers of the Bank. Now, I must say, without meaning any offence, that I do not feel any regret that the right hon. Gentleman is not on my side; for I do not believe that the assistance of the right hon. Gentleman, with the *préstige* of his financial misfortunes, would create any very great confidence in favour of the measure in the money market. When I recollect that it was once the fortune of this same right hon. Gentleman to fish for a budget in a bottomless pool of deficiency, into which he himself took a Leader, dragging the whole Whig Government of 1841 after him and drowning them in it, I feel that I may congratulate myself in having his opposition.

I now come to the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn). I confess I was never so much surprised at any speech as that of the right hon. Gentleman. Indeed I am much disposed to pass it by, merely saying—

> "'Tis a pity when charming women
> Talk of things which they don't understand!"

I must observe, however, that from the day money would be advanced under this Bill, interest on that money would become payable; so that before 200*l.* were advanced, the company must have called up not only 100*l.*, but 3*l.* 10*s.* in addition, to meet the half-yearly dividend on the Government loan of 200*l.* Simultaneously with the demand upon the Treasury would be the payment of the interest by the company, out of their share of the capital. Thus the Government would not be out of either capital or interest for a single day. The right hon. Gentleman, showing the bad security upon the Irish lines, instanced the case of the Dublin and Drogheda. He said, that on this line the shares were 75*l.*; 70*l.* had been paid up, and yet the price of the shares was only 58*l.*; and from this he argued, that the Dublin and Drogheda Railway would be no security to the Government. If the right hon. Gentleman had been able to multiply 58 by 3, he would have found the product to be 174; and if he had been able to multiply 70 by 2, he would have found the result to have given 140; and, deducting 140 from 174, he would have found a balance of 34*l.*; showing to him that there would be complete security, not only for the Government advance of two-thirds of the capital, namely, 140*l.*, but that there would be a surplus security of 34*l.* remaining for the private speculator. When the public read these statements of the late Chancellor of the Exchequer, they will see that it is not a very difficult task to fill the office of Chancellor of the Exchequer with success. The hon. Gentleman the Member for Inverness (Mr. Baillie) objects to giving loans to Ireland, and says, that when the Scotch people were suffering the greatest distress, grants or loans were never heard of. He told us of Lord Macdonald, and Macleod of Macleod, who have anticipated the whole of their income for the current year in relieving the distress among their people. Sir, I know it. I can cordially concur in admiration of the noble generosity and charity of the Scotch landlords; but I will not allow that the hon. Member speaks the sentiments of the people of Scotland when he says no loans or grants ought to be given to Ireland. He says, Scotland got no loans or grants. Sir, I think I have as much right to speak for Scotland, and more, perhaps, than the hon. Member—who, I believe, is not a Scotchman—and I repudiate for Scotland the sentiments of the hon. Gentleman; and I will say, that, even if she had not received anything, she would not raise her voice against relief to Ireland in such an emergency. But the fact is quite otherwise. Scotland got loans and grants long before Ireland did. Scotland has received no less than 850,000*l.* out of the 2,000,000*l.* Drainage Act, whilst England has got only 250,000*l.* I know the feeling of the Highlanders—I know their proverbial and historic character for gratitude —I know they would not be unmindful of the fact, that the Irish Members, so far from opposing, have ever voted for the loans which were advanced to Scotland—no Irishman ever raised his voice against grants or loans to Scotland in the times of Scotland's need; and, recollecting this, I know well, Sir, they would not raise their voices against Ireland in the day of her greatest adversity.

The right hon. Gentleman the ex-Chancellor of the Exchequer tells us this is quite a novel plan. Does he recollect 1835? Does he recollect the monster Committee of fifty Members of this House —many of whom were Members of the present and of the late Government—who unanimously voted in favour of railways in Ireland? And what was the plan? Why the Government of that day was recommended to advance, not one-half the sums required, but two-thirds, half as a gift and half as a loan, for the formation of Irish railways. But what did a former Chancellor of the Exchequer do—and that, too, when there was a gloom in the commercial world, not over railways, which did not then exist, but over commerce and manufactures—when commercial credit was at a discount, and the manufacturing interest reduced to the lowest ebb? Why, he came down to this House and recommended 5,000,000*l.* of Exchequer-bills to be lent, not upon security examined by Railway Commissioners, but upon the security ofthe stock in trade of manufacturers and of merchants, upon the woollen and cotton and cutlery of the manufacturers, and upon the sugar and coffee and tea and other merchandise of the merchants, the goods only to be given in pledge in the ports of London, Liverpool, Hull, Bristol, Leith, and Glasgow. This was 1793—he was not a Chancellor of the Exchequer of the modern red-tape class—he was a man of a higher order—he was the illustrious Son the immortal Chatham—he was "the Pilot who weathered the storm." Sir, did such a measure in those days make the public securities fall? Nothing of the kind, Sir. Mr. Fox, who was in opposition, and disliked the measure on constitutional grounds, fearing that it would give too much power to Ministers, and not choosing, as he said, to place the trade of the country at their nod, nevertheless acknowledged "he had not heart or nerve" to go to a division. What happened, then, to the money market; with the French at our doors, did the public securities fall? Far from it. True, the drivellers of that day rose in their places, like the three Chancellors of the Exchequer of this day, and expressed their fears that Exchequer-bills might fall to a discount; but they were speedily answered, by being told that the mere report upon 'Change, that Mr. Pitt proposed to issue 5,000,000*l.* of Exchequer-bills for the relief of the commerce and trade of the country, had given confidence in the city, and had caused all the public securities of one accord to rise. I have just received an account from America, that the effect of issuing new treasury notes to the amount of 23,000,000 dollars, and re-issuing 5,000,000 more of old treasury notes, has been to raise the public securities at Washington and New York.

Sir, I did not bring forward this measure in any factious spirit, nor with any feeling of rivalry. One of the gentlemen to whose great abilities and researches I am chiefly indebted for the materials which I have used is Mr. Laing, the political friend of Lord Dalhousie, the personal friend of the right hon. Gentleman opposite (Mr. Labouchere). That hon. gentleman asked me, when I first applied for his assistance, whether this measure was to be made a party one? My answer to him was this, that this measure was not proposed in a spirit of rivalry or of opposition to Her Majesty's Government — that we, as a party, had resolved that we would not allow party feelings to interfere with the consideration of what was for the interest of Ireland; and that was, I wont say the condition, but that was the honest understanding on which I received that gentleman's disinterested and patriotic services. But because I said the other night that I had summoned all my Friends, I am told this proves the present to be a party measure. Sir, when did I summon my Friends? It was not till the First Minister of the Crown, with that high-mindedness and generous feeling — that chivalry which belongs to his illustrious house — came across from the other side of the House on Tuesday last, and said to me, "I will not take advantage of you. The Government have decided that they will reject this Bill on its first reading, and I think it is therefore only fair to come over and tell you." Now, believing, as I do, that this is a measure which will go a long way to cure all the evils of Ireland, am I to be told that because the Government do not approve of it, and do not sanction it, that I am tamely to drop such a measure as this? It has also been said that I offered to take the government of the country. Sir, I think consistently with the independence of this House and of the country, when the Government comes down and says, if you do not reject this measure, though you believe it to be a good measure, we will throw the Government up, and anarchy may prevail, and there will be no help for you —why, Sir, I should have been wanting altogether in that spirit of independence which always has belonged, and ought always to belong, to this House, if I had not risen and said, that if this measure, which I have proposed on its own intrinsic merits, should so carry with it the feelings of this House as to convert a comparatively small minority into a majority—I would not shrink, were the task unwillingly forced upon me, from taking the responsibility of carrying this scheme into execution. At the same time, I hope that nothing which has fallen from me can be construed into a premeditated intention of proposing this measure in a spirit of hostility to Her Majesty's Ministers. And I believe my noble Friend at the head of the Government will say that he has no cause of complaint in the conduct of hon. Gentlemen on this side of the House; and I will say now, that so little was it my intention to bring forward this measure from any feeling of rivalry towards my noble Friend, that I conscientiously think it would be of great assistance to his other measures. There is no one of his measures with which it clashes—there is no one which it does not support; and I take leave to tell my noble Friend, that when the day comes when his army of 480,000 men, who now live upon the bread of idleness, are to be dismissed, unless he is supplied with some great safety valve of this kind, he will not be able to keep the peace in Ireland, even if the 35,000 military and police that are now there, should be raised to 70,000. Hunger is not to be resisted; and if it cannot get the key of the granary, it will have recourse to the crowbar and sledge-hammer; and I tremble to think what may be the consequence when the day comes when it is to be told to those 480,000 able-bodied men, that they must choose between the workhouse and starvation. Therefore, I say now again, at the last hour, that I offer this measure with a feeling of the most perfect good-will to my noble Friend; and if he says that he cannot undertake to carry out this measure, if he will appoint a Commission, as was done by Mr. Pitt in 1793, he may have the disinterested unpaid services of the right hon. Member for Sunderland. My right hon. Friend has offered to stake the whole of his fortune to the House and to the country as security to the Government for its success. I am not going to offer mine, because I know that it is of little value; but if, along with my right hon. Friend and Mr. Laing, he chooses to put me at the head of his unpaid Commission, then I will be responsible for carrying this measure out, without the loss of a single shilling to the State, but, on the contrary, with a large additional annual revenue to the Exchequer. I will be responsible for carrying this measure out, and for the employment of the people, through its means, to the extent and numbers which I have stated. I will be responsible for the regeneration of Ireland; and if it fail, why then, as the responsible head of the Commission, I shall be liable to impeachment; and I now challenge the House to put that process in force against me. I say not this in any trifling spirit, or in any idle bravado. There are ready hands and willing hearts in this House, I doubt not, to put it in execution. There is a party in this House to whom I have shown no quarter; and it is meet and just that they should give no quarter to me. As I have given, so I will take no quarter; and I now offer myself, with the assistance of the gentlemen I have before named, to carry out this measure at the hazard of impeachment, without its costing the country a single shilling, and I will answer for its success. It is a measure which offends against no old party recollections—it is a measure which wars not against any religious prejudice—it is a measure which confiscates not the property of the landlords, whilst it seeks not to expatriate the peasantry, or to send the poor to the workhouse—it is a measure which outrages no constitutional law—it is a measure which, whilst it clothes the naked and "fills the hungry with good things," sends not the "rich empty away." And I ask now the Government, for the last time—I implore them, for the sake of suffering Ireland, to accept it at my hands. I say to them, grant to Ireland, grant to me this my humble, my fervent, my honest, my only prayer; and I, for one, care not if this be the last time that I address this or any other mortal assembly.

Mr. F. FRENCH explained that he understood the Irish Members were only committed to support the first reading of this Bill, and that, afterwards, they were at liberty to act as they chose.

Mr. W. R. COLLETT would not detain the House more than a few minutes. Having stated a few days ago that he was ready to give employment to 50,000 men in Ireland, he felt himself bound to bear out that assertion. There were 393 miles of Irish railways with which he was connected. There were 223 of these under compact, and upon which upwards of 20,000 labourers were employed. During the last year he had given employment to 13,000 persons on the Chester and Holyhead Railway. With these facts before the House, he trusted he would get credit for the truth and sincerity of his statement on the other evening—that if the Government consented to this measure, he would have 50,000 additional persons put upon these works.

Mr. MUNTZ, in explanation, said that when he had first spoken in favour of the noble Lord's measure, he was not aware of the intentions of the Government in the event of its being carried. He should now be obliged to vote against this measure, because he was not prepared, at this moment, to leave Ireland in its present unfortunate state, without the protection of the present Government, and the advantages of those measure, however small, which they were carrying through Parliament.

Lord J. RUSSELL: Sir, although I am unwilling to detain the House at all from coming to a division at this late hour, and though I mean to forbear from attempting any reply to the speech of the noble Lord the Member for Lynn, yet, my right hon. Friend the Chancellor of the Exchequer having commenced this discussion, and many of his statements having been attacked, and as no Minister of the Crown has since taken part in this discussion, I think it would be most respectful to the House, before coming to any decision, that I should state what is the general view, without going into details, which I take of the condition of this country and Ireland at this moment, and of its bearing upon the Bill which the noble Lord has brought forward. I will not go into the finances of the case now; but, without stating those particulars of which the right hon. Gentleman cannot have had sufficient information, I may at once say, that I concur generally in the views expressed by the right hon. Baronet the Member for Tamworth. Considering our financial condition at this moment, the proposition of giving such assistance to Ireland as is contained in the measure of the noble Lord, becomes a matter extremely serious. But there is another part of the question, that relating to our commercial and social position. I take it that our position is this: there was not any such failure in England and Scotland, except in the Highlands, as would have made this a year of much suffering and difficulty for the people of Great Britain; but the great failure of the potato crop in Ireland has made it necessary, in the opinion of the Executive Government of this country, to make a very great effort in order to preserve a great portion of the people of the country from starvation. But the consequences have been, that instead of a large importation, as has usually been the case, of food from Ireland to this country, there has been, in the first place, a much smaller importation; and, in the next place, there has been a considerable exportation—an exportation now going on—from this country to Ireland, for the purpose of feeding those whose usual food has entirely failed. Their means of procuring this food have been furnished from the Treasury of this country, at the rate of 800,000*l*. or 900,000*l*. a month; but the consequences of enabling the people of Ireland in such large numbers to buy food is this, that the price of food in this country, and in foreign countries, has been greatly enhanced. But not only are the consequences of the high price of food beginning to be felt, and very severely felt, but a depression in the manufacturing interests of the country has also taken place; together with the want of sufficient wages for industry, upon which the great bulk of the population is maintained. It is, in my opinion, most desirable not to make that pressure greater than the people of this country can bear, so as to be able still to furnish assistance to their fellow-countrymen in Ireland. I think if we come to press to a very much greater extent than we now press upon them, and to drain further the resources of this country, we should find that, without enabling the people of Ireland to escape the dreadful consequences of the present famine, we had disabled the people of England and Scotland from giving that assistance which I am sure they are disposed to give. With this view of our finances, and of our commercial and manufacturing position, I have to consider how the means of this country can be best disposed of to preserve the greatest number of human creatures from famishing. That appears to me a very serious, painful, and at the same time a true view of the case. I believe in the last month or week that not less than 600,000 persons have received wages upon the public works in Ireland, representing, probably, 3,000,000 of the population. One hundred thousand persons more were in the workhouses, maintained by the rates. Thousands and thousands more are maintained by private charity in Ireland, and by the exertions of the resident landlords, many of whom have no doubt made great sacrifices on behalf of the poorer classes. I have, then, to consider, when there are more than three and a half millions of persons thus living, whether on the advances thus made by the many, or from the rates collected, or the subscriptions and charitable donations, I say, I am to consider, whether, under these circumstances, the proposition of my noble Friend is one that tends directly to the removal of the distress. Now, Sir, on that point I do not think the proposition is effectual in the manner that the Gentlemen from Ireland seem to suppose. I cannot think so, because while I see the means which I have stated from those different sources are all applied, or intended to be applied, to the relief of the most distressed persons, the most destitute, and the most in want of food, that the natural employment given by railway contractors is to the best labourers and the most able-bodied men, such only as are capable of bearing the very hard and laborious operations that are in such cases carried forward. My noble Friend, in the course of his speech, seemed to contradict a statement made by the Chancellor of the Exchequer, that the Limerick and Waterford Railway had declined to employ the labourers of the neighbourhood. I believe my right hon. Friend (the Chancellor of the Exchequer) was perfectly correct—that it amounts to this, not that they refused to employ the able-bodied labourers where the railway is being carried on; but they say, and I have the letter of the secretary here, that they do object to employ the worst class of labourers and the very destitute poor. What they like to employ are of course the best and most able-bodied labourers. The noble Lord read the letter. [Mr. W. R. Collett: Hear.] The hon. Gentleman cheers. I have no doubt from his experience, it is exactly the statement he would expect the railway company to make, that they are ready to employ the able-bodied labourers of the neighbourhood; but they do object to that general employment of the destitute, which to procure, after all, should be the great object of the Executive in making their advances. In the course of these discussions, the right hon. Member for Sunderland made various statements in respect to the employment of labour afforded by railways with which he is concerned. I have received several statements from different quarters, being copies of various reports which have been made public in the railway papers of this House; and from those reports it appears that while the hon. Gentleman estimated so much for permanent way, so much for land, and so much for the remainder, leaving it to be inferred, and asking indeed in what that rest could be employed except in labour, he seems entirely to have forgetten that very large sums are expended in locomotive engines, and very large sums also for the construction of stations, which stations are in point of fact in a great part ornamental buildings. With respect to the North Midland Railway, one of those lines to which the hon. Gentleman referred, I find there were expended 190,000*l.* for locomotive engines, and 260,000*l.* for the stations. Now, the right hon. Gentleman knows perfectly well, though those sums were expended in labour, that it is not the kind of labour which can be performed by any class of labourers, still less by the class of destitute labourers. But with regard to the 27,000*l.* per mile which that line cost, it will be found that, deducting those two items for stations and locomotives, that sum will be reduced by 6,000*l.* per mile. Various statements I have received all concur in one general result—that of the whole of the sums expended in railways, about one-half may be said to be for labour; but then that includes a vast deal of skilled labour, so that on the whole but one-fourth, or 25 per cent, is devoted to ordinary purposes. Now when the question is, as my noble Friend has just been stating it over and over again, how we are to save millions of Irish people from starving, we are obliged to go into details, and when we find that of the whole 16,000,000*l.* to be advanced, only one-fourth of that sum goes to unskilled labour, I say this is not a Bill which goes to the immediate relief of those starving people. Every one knows who is at all acquainted with Ireland—and this is a remarkable circumstance—that, with respect to skilled labour, such as that of masons, bricklayers, and carpenters, there is no great supply, certainly no superabundant supply of that labour in that country; and that labour, as compared with other descriptions of labour in Ireland, remains dear—almost, if not quite as dear as such labour in this country; and so far from those classes being in constant want of employment, they are the very class amongst whom combinations exist in order to obtain high wages from their employers. I heard an instance of this only a very short time ago in the town of Galway, where, amid the greatest distress, there happened to be two or three public buildings in progress, and, consequently, there was work for masons, and those masons were holding out for more than 2*s.* 6*d.* a day. I say, then, if you are applying these large sums for labour, that the word labour is a complete delusion when applied in connexion with the distress, because it includes a great deal of skilled labour. I come, therefore, to the conclusion on this general view, that the finances of the country being severely pressed by the demand for the relief of those who are famishing in Ireland; that the manufactures and commerce of this country being in a state of partial suffering; that the wages of industry in this country likewise being severely tasked by the present state of Ireland, and by the efforts which are being made by Parliament and by Government to relieve that distress: unless this Bill is one which goes immediately to the relief of destitution, it is not one which this House should adopt. For the short reasons which

I have given—for reasons in which I think the right hon. Member for Sunderland must concur—for the reason that three-fourths of the sum proposed to be advanced would not go to the relief of destitution, I come to the conclusion that it would not be wise in the present circumstances of the country to accede to this Bill. I am not at this hour going to enter—as I might do, were it earlier—into the question, whether it is advisable for the Government, under any circumstances, to make grants of money for the promotion of railways. There are questions connected with those matters which would make me differ from some of the opinions that have been urged against the Bill of my noble Friend; but, at all events, I think that any advances which are made to railways should be made in a different state of the country, and in accordance with those principles on which Governments generally proceed when they are making advances to public works. I am far from saying, that there are no great public works to which Government might not, under particular circumstances, make grants of public money. In the fens, as the noble Lord knows, it has been done with great advantage; and there are now great public works in Ireland, which have been undertaken under various Governments, and which have been most useful in their results; and, certainly, I should be most loth to say that railways would not be most useful to Ireland; but I am only dealing with the proposition before the House. Now, with regard to my noble Friend's speech, and to the manner in which he has brought forward this Bill, I am far from making any complaint of his bringing a measure before the House which he conscientiously believes will be of great service to Ireland, and which will tend to relieve the misery of that country; but the noble Lord must at the same time see, that it was not equally reasonable in him to expect, that if the Ministers of the Queen did not take the same view as he takes of the utility of this measure, they should adopt a measure of which they disapprove. The noble Lord might have brought it forward, and have laid it on the Table, as a measure to be taken or not by the Government; but he thought it so important, that the noble Lord the Member for Newark (Lord J. Manners) declared it to be his noble Friend's intention to proceed with the measure, and elicit the opinion of Parliament with regard to it. But it is quite impossible for any Government to allow the finances of the country to be taken out of their hands, and placed under the direction of the noble Lord, or any other person. Therefore, whilst I quite concede that he had the best motive for bringing forward this measure—and though I think he was quite right in saying, that if he succeeded with the measure he would himself be responsible for carrying it into execution—though I think he showed great spirit in expressing that determination—yet, on the other hand, I must say, feeling myself responsible for the conduct of affairs in this very important crisis, all I can do is, to bring forward those measures which I in my heart believe will tend most to the relief of destitution in Ireland, and ask Parliament to consent to those measures. If I am supported by Parliament, I shall then feel courage to go on and to brave all the difficulties with which I am encompassed; but I do hold, it would be most injurious to this country to have at this moment any Minister at the head of affairs who may be baffled in any effort he may make; whose opinions are not in accordance with the ruling opinions of the Members of the House of Commons; and whose position is still further embarrassed by having to carry out measures of which he does not approve. I must repeat, therefore, that I do not think I was taking any other than a constitutional course, when I intimated to those who I believed were disposed to support the Government, that with respect to the management of the finances of this country in this great crisis, we must have the majority of the House of Commons with us, or we cannot be competent to conduct the Government of this country. I think the noble Lord has had nothing to complain of. With his convictions I think he was perfectly right in bringing forward this measure, and in his readiness to carry it out if Parliament should consent to it. It is now for the House of Commons to decide whether this measure is that which he has described it to be—the sole measure which is essential for the benefit of Ireland; or whether, on the contrary, the course which we are pursuing is the best calculated to promote the welfare of that country, and of the whole empire.

Lord GEORGE BENTINCK rose to explain a sentence he had used in reference to a ship which had been built on the plan suggested by the hon. and gallant Member for Marylebone. It was said of a ship when she rolled in the trough of the sea, that she rolled like a drunken man; and his allusion was to that phrase. He did not mean such an allusion to have the slightest reference to the hon. and gallant Officer, and nothing could be further from his intention than to apply it to him.

The House divided on the Question, that the word "now" stand part of the Question:—Ayes 118; Noes 332: Majority 214.

List of the AYES.

Acton, Col.
Allix, J. P.
Bailey, J.
Bailey, J. jun.
Bankes, G.
Barron, Sir H. W.
Baskerville, T. B. M.
Bateson, T.
Benet, P.
Bentinck, Lord G.
Bentinck, Lord H.
Bernard, Visct.
Blackburne, J. I.
Blackstone, W. S.
Blake, M. J.
Borthwick, P.
Brisco, M.
Brooke, Lord
Brooke, Sir A. B.
Bruen, Col.
Buller, Sir J. Y.
Bunbury, W. M.
Butler, P. S.
Chandos, Marq. of
Chichester, Lord J. L.
Christopher, R. A.
Clayton, R. R.
Clifton, J. T.
Cole, hon. H. A.
Collett, W. R.
Conolly, Col.
Dick, Q.
Disraeli, B.
Duncombe, hon. A.
Duncombe, hon. O.
Du Pre, C. G.
Entwisle, W.
Farnham, E. B.
Ferrand, W. B.
Finch, G.
Fitzgerald, R. A.
Forbes, W.
Fox, S. L.
Gaskell, J. M.
Gooch, E. S.
Gore, M.
Goring, C.
Granby, Marq. of
Grattan, H.
Gregory, W. H.
Grogan, E.
Halford, Sir H.
Hall, Col.
Halsey, T. P.
Hamilton, J. H.
Hamilton, G. A.
Harris, hon. Capt.
Henley, J. W.
Hildyard, T. B. T.
Hill, Lord E.
Hodgson, R.
Hudson, G.
Hussey, T.
Ingestre, Visct.
Jolliffe, Sir W. G. H.
Kelly, J.
Ker, D. S.
Kirk, P.
Knightley, Sir C.
Law, hon. C. E.
Lawless, hon. C.
Lawson, A.
Lefroy, A.
Lennox, Lord G. H. G.
Leslie, C. P.
Liddell, hon. H. T.
Lowther, Sir J. H.
Mackenzie, W. F.
Macnamara, Major
M'Carthy, A.
Manners, Lord C. S.
Manners, Lord J.
Martin, T. B.
Miles, W.
Neeld, J.
Neeld, J.
Newry, Visct.
Norreys, Sir D. J.
Northland, Visct.
O'Brien, C.
O'Brien, W. S.
O'Connell, D. jun.
O'Connell, J.
Osborne, R.
Packe, C. W.
Pigot, Sir R.
Prime, R.
Rushout, Capt.
Scott, hon. F.
Seymer, H. K.
Shirley, E. J.
Smithwick, R.
Smyth, Sir H.
Stuart, J.
Taylor, E.
Taylor, J. A.
Thompson, Ald.
Trollope, Sir J.
Tuite, H. M.
Tyrell, Sir J. T.
Verner, Sir W.
Vyse, R. H. R. H.
Waddington, H. S.
Walpole, S. H.
Walsh, Sir J. B.
Woodhouse, E.
Worcester, Marq. of
Wyndham, J. H. C.

TELLERS.
Beresford, Major
Newdegate, C. N.

List of the NOES.

Acheson, Visct.
Acland, Sir T. D.
Acland, T. D.
Aglionby, H. A.
Ainsworth, P.
Aldam, W.
Anson, hon. Col.
Arkwright, G.
Arundel and Surrey, Earl of
Attwood, J.
Austen, Col.
Baillie, Col.
Baillie, H. J.
Baine, W.
Bannerman, A.
Barclay, D.
Barkly, H.
Baring, H. B.
Baring, rt. hon. F. T.
Baring, rt. hon. W. B.
Barnard, E. G.
Barrington, Visct.
Beckett, W.
Bell, J.
Bellew, R. M.
Benbow, J.
Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bernal, R.
Blakemore, R.
Bodkin, W. H.
Bodkin, J. J.
Bouverie, hon. E. P.
Bowles, Adm.
Bowring, Dr.
Bramston, T. W.
Bright, J.
Brocklehurst, J.
Brotherton, J.
Brown, W.
Browne, R. D.
Brownrigge, J. S.
Bruce, Lord E.
Bruges, W. H.
Buckley, E.
Buller, C.
Buller, E.
Burroughes, H. N.
Byng, rt. hon. G. S.
Cardwell, E.
Carew, hon. R. S.
Carew, W. H. P.
Castlereagh, Visct.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Cayley, E. S.
Chaplin, W. J.
Chapman, B.
Chelsea, Visct.
Cholmeley, Sir J. M.
Christie, W. D.
Chute, W. L. W.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Colebrooke, Sir T. E.
Collins, W.
Compton, H. C.
Copeland, Ald.
Corbally, M. E.
Corry, rt. hon. H.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Cripps, W.
Currie, R.
Curteis, H. B.
Dalmeny, Lord
Dashwood, G. H.
Dawson, hon. T. V.
Deedes, W.
Denison, J. E.
Denison, E. B.
Dennistoun, J.
D'Eyncourt, rt. hon. C.
Dickinson, F. H.
Dodd, G.
Douglas, Sir C. E.
Douglas, J. D. S.
Douro, Marq. of
Duckworth, Sir J. T. B.
Dugdale, W. S.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Dundas, Adm.
Dundas, F.
Dundas, D.
Easthope, Sir J.
Eastnor, Visct.
Ebrington, Visct.
Egerton, W. T.
Egerton, Sir P.
Ellice, rt. hon. E.
Ellice, E.
Ellis, W.
Emlyn, Visct.
Escott, B.
Esmonde, Sir T.
Etwall, R.
Evans, W.
Evans, Sir De L.
Ewart, W.
Fielden, J.
Ferguson, Col.
Filmer, Sir E.
Fitzmaurice, hon. W.
Fitzroy, hon. H.
Fitzroy, Lord C.
Fitzwilliam, hon. G. W.
Fleetwood, Sir P. H.
Flower, Sir J.
Forster, M.
Fox, C. R.
French, F.
Gardner, J. D.
Gibson, rt. hon. T. M.
Gill, T.
Gladstone, Capt.
Godson, R.
Gordon, hon. Capt.
Gore, hon. R.
Goulburn, rt. hon. H.

Graham, rt. hon. Sir J.
Granger, T. C.
Greene, T.
Grey, rt. hon. Sir G.
Grimsditch, T.
Grosvenor, Lord R.
Grosvenor, Earl
Guest, Sir J.
Hall, Sir B.
Hamilton, W. J.
Harcourt, G. G.
Hastie, A.
Hatton, Capt. V.
Hawes, B.
Hay, Sir A. L.
Hayter, W. G.
Heathcoat, J.
Heathcote, G. J.
Heathcote, Sir W.
Heneage, G. H. W.
Heneage, E.
Herbert, rt. hon. S.
Hervey, Lord A.
Hinde, J. H.
Hindley, C.
Hobhouse, rt. hon. Sir J.
Hogg, Sir J. W.
Hollond, R.
Hope, Sir J.
Hope, A.
Hoskins, K.
Howard, hon. C. W. G.
Howard, hon. J. K.
Howard, hon. E. G. G.
Howard, P. H.
Howard, hon. H.
Howard, Sir R.
Hume, J.
Humphery, Ald.
Hurst, R. H.
Hutt, W.
Inglis, Sir R. H.
James, W.
James, Sir W. C.
Jermyn, Earl
Jervis, Sir J.
Johnstone, Sir J.
Kelly, Sir F.
Kemble, H.
Labouchere, rt. hon. H.
Lambton, H.
Langston, J. H.
Lascelles, hon. E.
Lascelles, hon. W. S.
Layard, Maj.
Leader, J. T.
Le Marchant, Sir D.
Lemon, Sir C.
Lincoln, Earl of
Lindsay, hon. Capt.
Loch, J.
Lockhart, A. E.
Lyall, G.
Lygon, hon. Gen.
Macaulay, rt. hon. T. B.
Mackinnon, W. A.
M'Donnell, J. M.
M'Taggart, Sir J.
Mahon, Visct.
Mainwaring, T.
Maitland, T.
Mangles, R. D.
Marjoribanks, S.
Marshall, W.
Martin, J.
Martin, C. W.
Masterman, J.
Matheson, J.
Maule, rt. hon. F.
Mildmay, H. St. J.
Milton, Visct.
Mitcalfe, H.
Mitchell, T. A.
Molesworth, Sir W.
Morpeth, Visct.
Morris, D.
Morrison, Gen.
Mostyn, hon. E. M. L.
Muntz, G. F.
Mure, Col.
Napier, Sir C.
Neville, R.
Norreys, Lord
O'Brien, J.
O'Connell, M. J.
O'Conor Don
Ogle, S. C. H.
Ord, W.
Oswald, J.
Owen, Sir J.
Paget, Col.
Paget, Lord A.
Pakington, Sir J.
Palmer, R.
Palmerston, Visct.
Parker, J.
Pattison, J.
Pechell, Capt.
Peel, rt. hon. Sir R.
Pennant, hon. Col.
Philips, G. R.
Phillipps, Sir R. B. P.
Philips, M.
Phillpotts, J.
Plumridge, Capt.
Ponhill, F.
Ponsonby, hon. C. F. A.
Power, J.
Powlett, Lord W.
Price, Sir R.
Protheroe, E. D.
Pulsford, R.
Pusey, P.
Rawdon, Col.
Reid, Sir J. R.
Reid, Col.
Ricardo, J. L.
Rice, E. R.
Rich, H.
Roebuck, J. E.
Romilly, J.
Ross, D. R.
Round, J.
Rumbold, C. E.
Russell, Lord J
Russell, Lord E.
Russell, J. D. W.
Rutherfurd, A.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Scott, R.
Scrope, G. P.
Seymour, Lord
Seymour, Sir H. B.
Shaw, rt. hon. F.
Sheil, rt. hon. R. L.
Sheridan, R. B.
Smith, J. A.
Smith, rt. hon. R. B.
Somers, J. P.
Somerset, Lord G.
Somerville, Sir W. M.
Spooner, R.
Stanley, hon. W. O.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stewart, J.
Stuart, Lord J.
Stuart, W. V.
Strickland, Sir G.
Strutt, rt. hon. E.
Sutton, hon. H. M.
Tancred, H. W.
Thesiger, Sir F.
Thornely, T.
Tollemache, hon. F. J.
Tomline, G.
Tower, C.
Towneley, J.
Trelawny, J. S.
Trevor, hon. G. R.
Trotter, J.
Troubridge, Sir E. T.
Turner, E.
Vane, Lord H.
Vernon, G. H.
Villiers, Visct.
Vivian, J. H.
Wakley, T.
Walker, R.
Wall, C. B.
Warburton, H.
Ward, H. G.
Watson, W. H.
Wawn, J. T.
Wellesley, Lord C.
White, H.
Williams, W.
Wilshire, W.
Winnington, Sir T. E.
Wood, Col. T.
Wortley, hon. J. S.
Wrightson, W. B.
Wyse, T.
Yorke, H. R.

TELLERS.

Hill, Lord M.
Tufnell, H.

Bill put off for six months.

House adjourned at half-past Three o'clock.

HOUSE OF COMMONS,

Wednesday, February 17, 1847.

Minutes.] Petitions Presented. By Mr. Cabbell, from George Shillibeer, Funeral Carriage Proprietor and Undertaker, for Repeal of the Excise Duty on Horses, &c.—By General Morison, from Shipowners of Alloa and Kincardine, for Reduction of Lighthouse Dues.—By Mr. Protheroe, from Halifax, for Reduction of the Duty on Tea.—By Lord G. Bentinck, and Mr. Ferrand, from Bradford, for Inquiry respecting the Anatomy Act.—By a great many Hon. Members, from an immense number of places, in Favour of the Ten Hours Factory Bill.—By Mr. Duncan, from Dundee Chamber of Commerce, against the Bill.—By Sir W. Somerville, from Drogheda Board of Guardians, for Relief of the Destitute Poor (Ireland).—By Sir W. Somerville, from Inhabitants of Killineer and Tullyuscar, for Alteration of the Poor Law (Ireland).—By Mr. Kemble, from Bermondsey, for an Efficient Poor Law (Ireland).—By Mr. Henley, from Buckingham, and Mr. Farnham, from Nottingham, for Repeal or Alteration of the Poor Removal Act.

PERSONAL EXPLANATION.

Viscount DUNCAN said, that during the period he had enjoyed the honour of a seat in that House, he had repeatedly had occasion to thank them for their kindness towards him; and he hoped they would have the goodness again to extend their indulgence to him while he trespassed on their attention in reference to a matter of a rather personal character. He was anxious to take the earliest possible opportunity to correct an erroneous impression which appeared to have gone abroad with regard to certain statements which he had made in that House. It was said that he had acted with discourtesy; but he trusted that he knew his duty too well to act with deliberate discourtesy to anybody in that House or elsewhere. It had been stated that he had made charges against a certain individual. He denied having done so. He thought it right to recall to the recollection of the House the fact that when his hon. Friend the Member for Marylebone (Sir B. Hall) referred to certain statements made in a blue book with respect to certain union workhouses in Ireland, he did not lose a moment, after the hon. Baronet had resumed his seat, in reading from the book in question a charge which certainly did strike him as being of an appalling character. The House, he trusted, would remember that on that occasion he expressed a hope that the charge would be speedily denied. He made no charges himself against any one whomsoever, but merely relied upon the report of the blue book, sanctioned as it had been by the names of the assistant poor-law commissioners of Ireland, and published under the authority of that House. He distinctly disclaimed having made any charge whatever. He contented himself with merely reading a few pages from the blue book; but he certainly did say, and he now repeated it, that his constituency would not be satisfied if they were to be taxed for the payment of poor rates not levied in Ireland. To this opinion he still adhered, and he still most sincerely hoped that the statement would be denied which averred that there were arrears of poor rates due by wealthy landed proprietors in that country. In conclusion, he would only observe, that no reflection cast upon him in that House or elsewhere would prevent him from discharging his duty towards his constituents and the public to the best of his ability.

FACTORIES BILL—ADJOURNED DEBATE.

The Order of the Day having been read for the resumption of the Adjourned Debate on the Factories Bill,

Sir A. L. HAY rose to oppose the measure, and said he thought it his duty to submit to the consideration of the House the opinions of one or two persons who were eminently competent to pronounce a sound decision upon such a question, and whose authority had, he confessed, very great weight in inducing him to adopt the course which he had resolved to pursue in reference to the Bill. He totally dissented from what had fallen a few nights since from the noble Lord at the head of the Government, who maintained that the question at issue was not one of principle, but rather one of degree. The opinion was an unsound one, and had no warranty in fact, for surely it could not be contended that the measures which were adopted in reference to factory labour by that House in the year 1833, were of such a character as to establish the principle that State interference was to be permitted in regulating the relation between the employer and the employed. He did not think that anything that had heretofore occurred in the way of factory legislation warranted the assertion that the question was now merely one of degree, or at all justified the interference which was now (most unwisely as it seemed to him) attempted with those sound commercial principles which formed the basis of the prosperity of the manufacturing interests in this great country. The first authority to whom he would refer as demonstrating the inexpediency of any such interference, was one whose name would, he was sure, carry respect in that House—Mr. Leonard Horner, one of the commissioners appointed in the year 1833. That gentleman, who, under the Act passed in that year, was inspector of factories for Scotland, the north of Ireland, and three counties of Ireland, was removed in 1836 to Lancashire, and the great cotton district of England, so that he had abundant opportunity for amassing the information necessary to the forming of a sound opinion upon this great question. In a letter to Mr. Senior, dated from Leeds, a year after he became inspector for Lancashire, Mr. Horner expressed himself as follows:—

> "I agree with you in thinking that a limitation of the hours of labour of persons above the age of childhood, to anything less than twelve hours a day, is uncalled for, they being free agents; and that a reduction of the hours of work in cotton factories to ten hours a day would be attended with the most fatal consequences, and which would first be felt by the working classes."

He had not since then altered his opinion, for in his report of the 16th of May, 1845 (page 22), there occurred the following passages, in reference to certain experiments which had been made at Preston for reducing the hours of work to eleven, keeping up the same quantity of produce as was done by the labour of twelve:—

> "These experiments do not in my mind form any ground to justify a further legislative restriction of the hours of labour in factories, on the plea that has often been put forward, that if the

hours be shortened, the produce will not be lessened. In a very large proportion of the factories of the United Kingdom, a reduction of hours must of necessity cause a reduction of the quantity produced, and consequently must cause an enhancement of the cost of that produce, the rate of wages remaining the same. I could go into such details as would prove this, but I should be obliged to enter into technicalities which I could not hope to make intelligible to any one not familiar with the processes described."

So much for Mr. Horner's opinions on the question. Mr. Senior was of precisely the same mind, for in his advertisement to his letters, published in 1837, he said—

"Mr. Horner agrees with me in thinking that a reduction of the hours of work in cotton factories to ten hours a day would be attended by the most fatal consequences, and that the evil would fall first on the working classes."

And again, in talking of the masters, he observed—

"They are tired of having to come to town, canvass, and expostulate every year, in order to keep off a Ten Hours Bill, or some other equally wild proposal."

Such testimony as that was entitled to the most serious consideration of the House. The feeling in Scotland was decidedly against the contemplated change. He was in receipt of a letter from that country, in which the writer explained the fact most satisfactorily:—

"The millowners," he said, "with whom I have conversed are quite indignant at this legislative tampering with their interests, being perfectly uncalled for, and threaten unanimously, however great the sacrifice, to put their mills on eight hours a day, and reduce the wages one-third; and, believe me, I will, as an individual, cheerfully unite in their resolution; and this occurring at the present time of high-priced provisions, will at once both astonish the Government of the country and the factory operatives themselves. A great delusion likewise exists with relation to labour in factories. The word is quite misapplied. It is the machinery which labours. The females only wait upon it, and care and attention are the principal requisites in good factory operatives. This is an important point, and one which is too much overlooked."

Taking all these arguments into consideration, he was decidedly adverse to the measure now under consideration. He did not think this country could afford to despise foreign competition, notwithstanding all that might be said by hon. Gentlemen opposite. At this moment the Americans could undersell the British in the markets of China and India; and he was not in favour of any measure that could have the tendency of increasing such competition, and rendering it yet more formidable. Under these circumstances he should give his most decided support to the Amendment.

MR. BERNAL thought that whatever side hon. Members might take on the present question, they ought to express their opinions without exaggeration or prejudice. He, for one, had always been consistent on this subject; he had never altered his opinion of its merits. Still he desired to state that he had no sympathy with any of the illiberal or vulgar attacks which had been made on the master manufacturers, who, he believed, generally desired to promote the interests of those they employed, as far as was consistent with their self-interest. He conceived those manufacturers had done great good to this country. Their industry and energy were daring, and their projects were magnificent. All he asked of them was to pause a little, and not to suffer the current of prejudice to carry them away, for he believed an end to the question must come ere long by the concession of what was now sought. He felt certain that three years would not go over their heads before a Ten Hours Bill would be carried. The Bill now before the House proposed to limit the labour of young persons between the age of 13 and 18, and all females, to ten hours a day for five days in the week, and eight hours on Saturday. That was to make the week's labour fifty-eight hours, instead of sixty-eight hours, as at present. Now, in discussing the advantages that would result from the proposed change, he would only deal with proposed arguments and matters of fact, and discard all poetry. He would therefore admit at once that he conceived the arrangement would also limit the labour of adults in factories. This being the case, he would address himself to one or two of the leading arguments employed by previous speakers against the Bill. The principal argument he had to deal with was this, that if the hours of labour were reduced to ten hours a day, there would in consequence be a reduction of wages in the same proportion; and it had further been stated that the factory operatives were not prepared for that. He would, for the sake of argument, concede the first proposition, that there would be a reduction of wages; but he must tell the House that the operatives had over and over again expressed themselves willing to take the measure, and abide the issue. He recollected two years ago having a two hours conversation with delegates from the manufacturing districts; and when this subject was named to them, their answer was, "We are content to encounter the risk, and abide the chance of reduction." But he did not concede that there would be a necessary reduction of wages to the extent named by the opponents of the Bill. He would call the attention of those who differed with him in opinion on this subject to the figures, the data, the facts that illustrated this point. Had the Acts passed during late years for the regulation of the textile manufactures of the country reduced the rate of wages? Between 1813 and 1833, seven distinct statutes had been passed on the subject of factories, and for the reduction of the hours of labour. He appealed to the right hon. Gentleman opposite (Sir J. Graham) if this had not been the case. The hours of labour had been already reduced from eighty-four to sixty-nine; and was he then to be told that this was a question of principle? To talk of it as such was palpably absurd. Now, he had collected from the blue books details of the rates of wages from 1813 to 1833, during which period, as he had stated, seven distinct Acts had been passed bearing on the question of factory labour. What, then, was the rate of wages in the different years? In 1833, Mr. Holland Hoole gave evidence on the subject of wages; and his authority was the more important, as he was well known to be opposed to measures of this kind. He stated what were the wages in eight years, the last of which was 1833; and the result was, that the average wages of young women employed in the cotton manufactories in Manchester was 8*s.* 4*d.* a week; while in 1833 they were 8*s.* 10*d.* a week; so that, though the hours of labour were reduced, the wages of those persons had not been reduced, but rather had increased. And the advantage would appear still greater when they considered the prices of provisions in relation to wages at the different periods. He begged the House to grant him its attention while he proceeded to read the scale of prices which prevailed in the articles of food, and other necessaries, in each of these respective years. The House would remember that in the intermediate period seven enactments had been passed, limiting the hours of labour in factories. He found, then, that the price of oatmeal was, in 1813, 55*s.*; in 1833, 25*s.*; butcher's meat, in 1813, 5*d.*; in 1833, 3¾*d.*; soap, in 1813, 8*d.*; in 1833, 6*d.*; candles, in 1813, 11½*d.*; in 1833, 5¾*d.* per lb.; coals, in 1813, 8½*d.*; in 1833, 3¾*d.* Salt, they were aware, was considerably reduced; and there had been a reduction generally in calicoes, articles of dress, cheese, and potatoes, amounting nearly to 50 per cent, so that while the young women in 1833 got the same wages that they did in 1813, they could supply themselves with articles of food and clothing at 50 per cent less. Now if the House took the average weekly earnings in 1844 and 1845, they would find that the same facts were exhibited. The hon. Member for Durham (Mr. Bright) entered at some length into the question of wages as existing in his own and other factories in Lancashire and Yorkshire. The hon. Member stated the number of his workers at 518, and their average earnings per week, of sixty-nine hours, at 10*s.* 1*d.*; Mr. Ackroyd employed 575 workers, at an average weekly wages of 9*s.* 3*d.*; while Messrs. Eccles and Co. employed 230 at an average of 10*s.* 7*d.* He alluded to these facts merely to show that wages in 1844 and 1845 had not been reduced, although from the year 1833 they had passed two other enactments limiting the hours of labour in factories. He had, therefore, the right to assume that a doubt might be cast on the assertion that the reduction of the duration of labour would be followed by a reduction of wages. He believed it would not, and he conceived that he had as good a right to prophesy as his opponents. They were told that the health of towns was a subject of vital importance to all classes of the community. When this subject was being forced upon their notice in a manner which could not be disregarded, could they, when considering this question, forget that the artisan was worked for twelve or fourteen hours in a heated and unwholesome atmosphere; that women (workers also in factories) were torn from their domestic relations, and interrupted in the midst of those maternal duties which nature had pointed out as imperative? Let the House look to the facts elicited by Mr. Fletcher, a most intelligent surgeon of Bury. He, writing to the hon. Member for Oldham, stated, that he was startled at the statistical details he had collected; but after he had himself again tested their accuracy, he was obliged to acknowledge that in no single instance were they overcharged. He had not taken one town or district, but had compared one with the other throughout the textile manufacturing counties. He had, for instance, taken one district in the town of Bury, and compared it with another district, in which a different species of manufacture prevailed. First, in the town district of Bury, which he had examined, he found that great mortality prevailed in consequence of defective ventilation, and that the average age of death of factory operatives did not exceed eight years; while in some other kinds of factories the period exceeded fourteen years. He found that the deaths of infants under two years of age averaged 61 per cent, and in other districts 32 per cent. The hon. Member (Mr. M. Gibson) seemed to doubt this; but the facts were accredited, and could be substantiated to the satisfaction of the hon. Member. Now, in the district of Bury North, he found the mortality of factory operatives, compared with others, as 9½ years to 19; and the deaths among their infants under two years of age, compared with those of other children, as 54 per cent to 33. Did not this prove that proper and efficient attendance could not be bestowed by the mothers on their offspring, and that at a time when all a mother's care was most urgently required? They had heard a great deal of the necessity for the construction of parks, and schools, and athenæums for the working classes; but he should like to know what period the workman had to give, or what physical energy he had left, to enjoy walks in the parks, or intelligent recreation in athenæums? It might be said that they could go there on Sundays; but did the House think, after five days' labour, at twelve hours a day, the operatives had nothing to do but to ramble in the parks, or amuse themselves in the athenæum? It was truly said that manufactures at the present moment were depressed. Now, what was the cause of it? Why, it could be traced to the working of that magnificent demon—if he might be allowed the term—the steam-engine. By the aid of its powers, the manufacturers of this country had overstocked every market in the world; and that was the cause of the depression in manufactures. The consequence of all this was, that all the mills throughout the kingdom were working short time; and as there must necessarily be diminished production in future, what harm was there in passing this Bill? Would they deny that there was over-production, and that over-production was an evil? He maintained that it was a decided evil. He should like to know if the bankruptcies and failures produced by it were not decided evils. But when it was said that a reduction of two hours' labour per day would diminish the power of production, they forgot the increasing powers of machinery. If they would look into Mr. Horner's report, they would find that, although thirty-three mills had recently ceased in one district, the increase of horse-power there had been truly astonishing. His hon. Friend (Sir A. L. Hay) had talked something of competition with America, and said the Americans were underselling us. Why, they had been underselling us for years before we reduced the price of labour. He knew also, that the wages in the United States considerably exceeded ours. Wages in the United States were about 15*s.* a week, while with us they were about 10*s.* In France, wages were lower than in this country. Moreover, the women spinners in America were very differently treated. They generally had a vacation of two or three months in a year, when they returned to their families, and renewed their domestic relations. Was that the case with any factory operatives in this country? But it was urged that if this Bill were passed, the price of manufactures would be increased in the home market. Well, perhaps it might, but only to the extent of a halfpenny a shirt, or a farthing a gown, or some trifle, which could not enter into serious argument. Then, again, it was urged, that if factory labourers objected to their present hours of labour, they could combine or turn out. This, he thought, was ungenerous; for, in his opinion, the operatives of Lancashire and Yorkshire were deserving of the highest eulogium, and were entitled to credit rather than odium, for not having long ago resorted to a turn-out or a combination. Now, why should the operatives be compelled to work more hours a day than the mechanic? There was not a mechanic in any mill who worked more than ten hours a day—not a smith, joiner, or carpenter, upon the average, worked in a mill more than ten hours per day; and why should the factory operatives be compelled to work longer? It was a very common thing to talk of educating the people; but he wanted these men, who were standing upon the soles of their feet for twelve hours a day, in an atmosphere of from seventy to eighty degrees, to have a little repose as well as education. A person occupied all the day in such a manner, could not be supposed to turn to scholastic duties, or afterwards take a walk in the park at Manchester, or "hie to the meadow to pull gowans" at Glasgow. It had been said, that the agricultural labourer was worked as severely as the manufacturer: he was, however, always healthy, owing to the continued blessings of air and light. He said they were called upon, in justice and fairness, to deal kindly with men who had not resorted to unlawful combinations; and he felt assured that if they did not yield to their peaceful agitation, they would, ere long, greatly rue it. But it had been said, that if this measure were passed, other concessions would be required. He begged, however, for himself, to state that the present was a Ten Hours Bill, and as such he supported it; but if the operatives should come forward, and request a limitation of the hours of labour to eight, he should most certainly oppose it. He found that there was a clause in the present Bill, proposing that from the 1st of May, 1847, to the 1st of May, 1848, the hours of labour should be reduced to eleven, but that, after that period, the time should be reduced to ten hours. He did not approve of the eleven hours measure; he thought that it either went too far, or not far enough. In conclusion, he would express a hope that the manufacturers would no longer leave themselves open even to the suspicion of grasping avariciously that which they could not maintain, and which Christianity and morality forbade them to maintain, even if they had the power of doing so.

Mr. S. CRAWFORD had attended a meeting held in the town-hall of Rochdale, by the working classes of that town, for the purpose of expressing their opinions upon the subject of the Ten Hours Bill; and he asked them what were their wishes with respect to this Bill, whether they desired him to support the measure in that House, and whether they were willing to receive any reduction of wages which might arise from the passing of that measure? The answer which he received to these questions was decidedly in the affirmative. One part of the hall was appropriated to the use of females; and he asked them specifically what their wishes were, and they responded in the most enthusiastic manner, that they wished the Bill to be supported. He was bound to say, however, that a different opinion prevailed amongst the constituency of Rochdale; but these were but a comparatively small number of the inhabitants, and he considered that he was not so much elected to support the views of a limited constituency, as to represent the great body of the people. Believing, therefore, that the great body of the operatives were in favour of this Bill, he should support it. The operatives could not help themselves. While the mills were open, they must work; and he, therefore, thought Parliament should impose some limitation.

Mr. DENNISTOUN concurred with one observation made by his hon. Friend below him (Mr. Bernal), that the question was one of the deepest importance, and ought to be met in a spirit of fair and rational argument. Though his hon. Friend, towards the close of his speech, soared into the regions of poetry, he wished to limit himself altogether to matter of fact; it was on the ground of fact his hon. Friend had challenged him to meet him. But, before he did so, he could not help adverting to the conduct of the noble Lord at the head of Her Majesty's Government with regard to this question. He was somewhat surprised the noble Lord should have found fault with the hon. Member for Durham (Mr. Bright), because at ten minutes to six, on the previous Wednesday, the hon. Member had made what the noble Lord called an attack on him. But short as was the time that remained, it did not prevent the noble Lord from making a counter attack on the hon. Member for Durham, and from declaring, as First Minister of this great commercial country, that he was, then and there, perfectly prepared, in the short space of exactly three minutes, to state the whole of the grounds on which he was ready to support a measure, which, in the opinion of those most competent to judge, was fraught with the most disastrous consequences to the manufacturing interests of the empire. He was surprised the noble Lord (Lord J. Russell) had not seen there was a principle involved in the measure. There would, said his hon. Friend (Mr. Bernal), be no principle involved in a proposition to adopt an eight hours Bill; it would only be a question of degree; so also, if it had been proposed to limit the hours to two hours instead of to ten, still, according to this reasoning, it would only be a question of degree Then, in fact, there was no principle to be considered in repealing the corn laws; if they once reduced the duty, it was then, according to this reasoning, merely a question of degree whether or not they should decide upon a total repeal. His hon. Friend had, however, stated an argument, which, at the first blush, seemed plausible, and which if not met, would place the opponents of the measure in a somewhat difficult position. It was true they had already reduced the hours of labour; but, because no material injury had resulted from the compelled reduction in the time of labour from fourteen to twelve hours, he did not admit that no evil would be the consequence of a further reduction of from twelve to ten hours. But, then, though they made this law, they effected in reality no limitation. There was no necessity for such a law; the trade generally throughout the country did not work more than at present—that is, they did not, on the average, work more than twelve hours a day; and, if he was correct in that statement, and he challenged contradiction, the whole argument of his hon. Friend fell to the ground. Although they had apparently limited the hours of labour for women and children, this now proposed was the first direct step, by legislative interference, towards limiting the power and capacity of the steam-engine —that which his hon. Friend called the demon of steam. This, in a country dependent for its wealth and welfare on its commerce and manufactures, appeared to him the most ruinous and absurd proposal that ever entered the brain of man. His hon. Friend had gone at great length into the question of foreign competition; and this, indeed, was the most important element in the consideration of the subject. His hon. Friend challenged him to test his logic by figures; and he would now, with the concurrence of the House, endeavour to demonstrate to his hon. Friend how accounts stood with their chief competitors—the Americans. He would take a case for comparison—that of a mill in Glasgow. The mill he instanced was of the average extent of 25,000 spindles; the cost of the raw material used in that mill amounted annually to 8,770*l.*; the wages to 7,198*l.*; the charges for annual interest on the capital for tear and wear and waste, 5,571*l.*; making a total of 21,539*l.* The cost of raw material thus amounted to no less than 40 per cent of the whole. Then take the case of the Americans. It was capable of proof, that in the single items of freight and insurance alone, the Americans at this moment had, and they always would have, an advantage over us equal to as much as 10 per cent. The per centage on that single item in the trade of this mill, would amount to 870*l.* per annum; or, on the whole consumption, to about 1,500,000*l.* It was evident, beyond that, that the prices of the raw material in this country must always average considerably more than in the United States; it would not be an unreasonable estimate to calculate this as a gain to the Americans of another 10 per cent; thus the Americans had altogether an advantage of 20 per cent—the English manufacturer paying 3,000,000*l.* more than the American for his raw material; and this was a natural advantage, which, strive as they might, they could not get rid of. The manufacturers in this country were continually exposed to competition with the Americans in every neutral market; and it was of the utmost importance they should not lose sight of that branch of their trade—the export trade. They now maintained their position with the greatest difficulty; and the slightest increase in the cost of production would be ruin. He would mention a remarkable fact connected with their export trade. In the year 1843, the last year for which they had a return, there was used up in this country, and spun into cotton yarn, 400,000,000 lbs. of cotton. Of these 342,000,000 lbs. were exported, leaving only about 58,000,000 lbs. to be consumed in this country. Now this, according to his calculation, amounted to one-seventh; and the result of this measure, if the estimate of its advocates was right, that it would decrease the productive power of the country one-seventh, would be to destroy the manufacture of the whole quantity of cotton goods consumed in this country: this was an astounding fact, and he called upon the noble Lord to declare if he was willing thus to destroy, at one blow, an amount of goods equal to the whole quantity consumed in this country. His hon. Friend had proceeded to argue as to the effects of such a Bill upon wages, and had entreated them not to be poetical or imaginative, but to come to facts and figures. He would take the actual figures of a mill in full operation, and would, in this way, point out the inevitable result of a further legislative interference on profits and wages. He would return to the same mill in Glasgow which he had before mentioned; and he trusted that every hon. Gentleman having an interest in the question, would follow and endeavour to refute him. The total production of yarn in the mill he alluded to, amounted to 312,000 lbs.; and, deducting one-seventh, caused by a Ten Hours Bill, this would be 44,700 lbs. This, in money value, at 1*s.* per lb., was 2,228*l.* Then, taking into account the raw material used, amounting, as he had before shown, to 40 per cent, or 840*l.*, and deducting this from the 2,228*l.*, they obtained as the loss per annum, in this single mill, the sum of 1,388*l.* Where was this loss to fall? It could be only in one of three ways. This loss would fall altogether upon the operatives, or upon the master, or would be divided between them. If divided equally, the loss in wages would be 674*l.*; or, upon the whole cotton trade, there would be a loss in wages, per annum, of 877,000*l.* Those of the operatives who were paid by the piece would even be worse off; for it was calculated that the reduction in the amount of their wages in that single mill, at the rate of 1,328*l.* a year, would, on the whole trade, equal 1,300,000*l.* Therefore the proposal to reduce their productive labour by one-seventh, was very little less than ruinous to the workmen themselves. Hon. Members argued in favour of the limitation of production in manufactures: were they prepared to apply the same principle to the production of food? What would be said of the man who should propose, or the Legislature that should pass, a measure, the effect of which would be to diminish by one-sixth the amount of food grown in this country? It was, of course, impossible to set an accurate money value upon the quantity of food raised in these countries; but assuming it at 200 millions sterling, and supposing that quantity reduced by one-seventh, the seventh would be above 28 millions in value. What would be the result? Why, the loss in Ireland of the potato crop, estimated at less than half that sum, and operating only over one year, had baffled all their statesmen, and set at defiance all the golden rules of their political economy; and yet here they were called upon to apply this very same principle if not to the food, at least to the raiment, of the people. The article cotton was next in importance to the article corn; and, supposing the crop of cotton were by some convulsion of nature totally distroyed, what inconvenience would arise! and, wanting the means of purchasing food, how great would be the misery of this country! Gold and silver might be swept away from a nation, and no extensive suffering be produced by the loss of it, for they were but articles of exchange, which would be replaced by others; but food and clothing constituted the wealth of the world; and not only was it no injury to a people to produce them in abundance, but it was a positive benefit. He could not conceive such a thing as over-production of food or raiment; the producer might suffer, but the purchasers were always benefited. He could not imagine any more direct contradiction of the precepts of political economy than to assert there could be an over-quantity of food or raiment. They might succeed in the coming division; but (said the hon. Gentleman, in conclusion) "that will not settle the question; it will not only not settle the question, but it will unsettle every interest in the kingdom. Once admit the principle of interference on this gigantic scale, and no trade, no profession, no individual, is safe. You will have established a principle the application of which I defy you to limit to factories. You will, in spite of yourselves, be compelled to go on, till the evil will become so intolerable, that I venture to predict that not many years will elapse till those very persons, on whose behalf you think you are now legislating, will demand of you, in a voice not to be misunderstood, to retrace your steps; and will call upon you to save them, amidst the wreck, and anarchy, and confusion, which you yourselves, by your unwise and unjust legislation now, will have brought upon the country."

Mr. FERRAND: When his hon. Friend the Member for Oldham presented, that afternoon, a great number of petitions, signed by many thousands of the operatives of the north of England, in favour of the Bill, the hon. Member for Dundee rose immediately after, and informed the House that he had a petition to present from a body of persons (a very different class of persons) who were the members of the Chamber of Commerce at Dundee. He was prepared to admit that this was indeed a very different class of persons. On the one hand, there were thousands of operatives praying for the protection of that House—men steeped in misery and distress; whilst, on the other hand, the Chamber of Commerce at Dundee requested that that House would not listen to the prayer of millions of the people of this country. He rose to support the prayer of the toiling millions of England and Scotland; in doing so he made no apology to the House; he begged only for a patient hearing; he felt that no hon. Member was more competent than himself to describe the situation and the feelings of the operatives under this fatal system. It was now seventeen years since he first became an advocate of the Ten Hours Bill; and at the many meetings he had attended, he never yet saw one manufacturer who dared raise his voice against his workpeople when assembled to agitate and obtain the enactment of this measure. He never yet knew one manufacturer who dared meet those in his employment, and fairly argue the question at issue. If there was an instance of such an occurrence, he should be glad to hear on which side the victory finally rested. He saw the hon. Member for Sheffield (Mr. Ward) smiling at what he said. It was not many weeks since that hon. Gentleman himself visited his constituents, and was obliged to admit that the operatives of this country were unanimously in favour of the Bill. The working people of Sheffield gave the hon. Gentleman to understand that they entirely differed from him in the view he took of the question. The right hon. Baronet the Member for Tamworth had informed the House that it was on account of his anxiety for the interest of the factory operatives, that he opposed the Ten Hours Bill. Now, with the permission of the House, he (Mr. Ferrand) should like to read a detailed account of the state of that class of our fellow-subjects in the absence of such a measure. He would not offer his own opinion; he would give them the authority of the Lancashire cotton-spinners. Out of the mouths of these manufacturers themselves, opposing the Bill, he would judge them in the British House of Commons. If the statement he was about to read was true, he would be justified in asking, had any hon. Member the audacity to stand up in that House, and to declare he was prepared to perpetuate, in a Christian and civilized land, so fearful a state of suffering and degradation as that which would be shown to be the condition of the unfortunate factory operatives? These great Lancashire cotton-spinners said—

"We think it is high time that the attention of the public should be directed to this momentous question (the factory question); that they should be informed, not merely of the advantages attendant on manufactures, which we fully allow, but also of the evils which accompany those advantages, but which are not inseparable from them; in order that they may be able to investigate the cause, and suggest the remedy. As individuals, we are friendly to manufactures, and extensively engaged in them. We shall not, therefore, be suspected of a wilful exaggeration of the evils we lament. We shall assume nothing, infer nothing, exaggerate nothing, extenuate nothing; but simply state the nature and amount of the evil, lament its existence, and suggest its cure. Domestic manufactures are almost extinct. The population, which was formerly scattered throughout the country, is now congregated into large towns, and is impressed with a distinct character. We will bodily appeal for the confirmation of our views on the present unwholesomeness of large manufactories to any one who has been long and intimately acquainted with the interior of these establishments; who has seen children enter them at ten or twelve years of age, with the beaming eye, and the rosy cheek, and the elastic step of youth, and who has seen them gradually lose the gaiety and lightheartedness of early existence, and the colour and complexion of health, and the vivacity of intellect, and the insensibility to care, which are the natural characteristics of that tender age, under the withering influence of laborious confinement, ill-oxygenated air, and a meagre and unwholesome diet. We have witnessed all this repeatedly, and we have found it impossible to resist the obvious conclusion—a conclusion which we think cannot be gainsaid by any man of experience and observation."

Now, who was the man of experience and observation who made use of these words? Why, it was no other than Mr. W. R. Gregg himself, one of the most extensive cotton-spinners in Lancashire, and who at that time was in favour of a reduction in the hours of labour. That was before his mind was poisoned by their principles of political economy, invented to rob the operatives of protection. Mr. Gregg, said further—

"From the long hours of labour, and the warm and often close atmosphere in which they are confined, a very large proportion of our manufacturing labourers feel the necessity of some artificial stimulus; we regret to say, that many of them, especially those who receive the highest wages, are in the habit of spending a portion of their leisure, after working hours, more particularly on Saturday evenings, and during the Sunday, in besotting themselves with ale and beer; and, still oftener, with the more efficient stimulus of gin. It is customary for them in many of the towns to stop at the ginshops and take a dram as they go to their work in the morning, and another as they return at night; and where, as is frequently the case, the houses of the workpeople lie in a cluster round the factory, it is not uncommon for a wholesale vendor of spirits to leave two gallons (the smallest quantity which can be sold without a license) at one of the houses, which is distributed in small quantities to the others, and payment is made to the merchant through the original receiver. The quantity of gin drunk in this way is enormous; and it is painful to know that children, and even girls, are initiated into this fatal practice at a very tender age. This is a picture which it is impossible to contemplate without sentiments of sorrow and regret that such a state of things should exist within reach of a remedy, and yet that remedy not to be applied; for, as we shall endeavour to show in the subsequent pages, all these evils may be greatly mitigated, if not altogether removed. But this is not all. Ardent spirits are not the only stimulus which this class of people indulge in. Many of them take large quantities of opium in one form or another; sometimes in pills, sometimes in laudanum, sometimes in what they call an anodyne draught, which is a narcotic of the same kind. They find this a cheaper stimulus than gin, and many of them prefer it. It has been in vogue among them for many years, when wages were low, and the use of it is now continued, when there is no longer this excuse."

Mr. Gregg proceeded to detail another cause of the unhealthiness of manufacturing towns:—

> "As a second cause of the unhealthiness of manufacturing towns, we place the severe and unremitting labour. Cotton factories which are the best in this particular, begin to work at half-past 5 or 6 in the morning, and cease at half-past 7 or 8 at night. An interval of half an hour, or 40 minutes, is allowed for breakfast, an hour for dinner, and generally half an hour for tea, leaving about 12 hours a day clear labour."

He (Mr. Ferrand) begged to call the attention of the hon. Member for Manchester to the fact, that there were 12 hours a day clear labour; this was the system which they wished to put a stop to.

> "The work of spinners and stretchers is among the most laborious that exist, and is exceeded, perhaps, by that of mowing alone; and few mowers, we believe, think of continuing their labour for 12 hours without intermission. Add to this, that these men never rest for an instant during the hours of working, except while their mules are doffing, in which process they also assist; and it must be obvious to every one that it is next to impossible for any human being, however hardy and robust, to sustain this exertion for any length of time without permanently injuring his constitution."

Then what did Mr. Gregg say with regard to other labourers of this country?—

> "A collier never works above eight hours, and a farm labourer seldom above ten hours a day; and it is therefore wholly out of all just proportion that a spinner should labour for twelve hours regularly, and frequently for more. We know that incessant walking for twenty-four hours was considered one of the most intolerable tortures to which witches, in former times were subjected, for the purpose of compelling them to own their guilt, and that few of them could hold out for twelve; the fatigue of standing for twelve hours, without being permitted to lean or sit down, must be scarcely less extreme. Accordingly some sink under it, and many more have their constitutions permanently weakened and undermined."

Yet they had Members of that House rising to argue about a quarter of a pound of cotton as if equal in importance with the lives of millions, and calling upon the British House of Commons to refuse this Bill, in order that their inordinate wealth might become still greater. He believed there was not a cotton-spinner of Lancashire who dared attend a public meeting in any one of the principal towns, and there, in the presence of the operatives, make use of that language which was so unblushingly uttered in that House. If there was any such man—if there was any Member of that House connected with the cotton trade, prepared to resist and dispute the demand of the people of the north of England, he challenged him to go to the north, and he (Mr. Ferrand) would meet him and plainly and openly discuss the merits of the question. He pledged his word—whatever were the attempts lately and secretly made, as he would shortly show to the House, to get up statements to be used in this debate by intimidating the operatives—that the people would unanimously declare their resolution to work for the future no longer than ten hours a day; and, if they were not legislated for, to take means to benefit themselves. He would not read all that Mr. Gregg said, but let the House hear the following:—

> "In a word, the hands employed in these large manufactories breathe foul air for twelve hours out of the twenty-four; and we know that few things have so specific and injurious an action on the digestive organs as the inhalation of impure air; and this fact alone would be almost sufficient to account for the prevalence of stomachic complaints in districts where manufactories abound. The small particles of cotton and dust with which the air in most rooms of factories is impregnated, not unfrequently lay the foundation of distressing and fatal diseases.
>
> "The fourth cause of the ill-health which prevails among the manufacturing population may be traced to the injurious influence which the weakened and vitiated constitution of the women has upon their children. They are often employed in factories some years after their marriage, and during their pregnacy, and up to the very period of their confinement, which all who have attended to the physiology of this subject know must send their offspring into the world with a debilitated and unhealthy frame, which the circumstances of their infancy are ill calculated to renovate; and hence, when these children begin to work themselves, they are prepared at once to succumb to the evil influences by which they are surrounded."

Now, could the House wonder at the statement which had been made by Mr. Fletcher of Bury, after those which he had just read? These were not off-hand exaggerated statements; they were not vulgar denouncements; but the deliberate opinions of Mr. Gregg, written by him in a pamphlet, and published to the world with all the weight of his authority. Was there a Member of that House could gainsay one of them? If not, then he unhesitatingly declared that the factory system of this country was carried on at an annual sacrifice of thousands of the people of England. The master manufacturers had said, in a statement which they had circulated among the Members of that House, that if Parliament adopted the Ten Hours Bill, they would hold the Ministers responsible for the consequence; and he believed they had even gone so far as to threaten to close their mills, and thus to create outbreaks similar to those that took place in 1842. Was this the way for men to act who had amassed enormous wealth at the expense of the bones, the sinews, and the marrow of the factory operatives? Was this the example they were prepared to set, after the bargain, so disgraceful to them, with regard to the repeal of the corn laws, which they had made with the factory operatives, when they promised the latter that in return for their assistance on that question, they would give their support to a Ten Hours Bill? He called upon them to redeem their pledge; and if they did not, then they ought to be branded with infamy and disgrace. He denied that Ministers ought to be responsible for any consequences from this state of things. It was the master manufacturers themselves who were responsible, and who had declared, through their representatives in that House, that if left alone, without any legislative interference, they and their workmen would mutually come to an agreement with each other as to a reduction of the hours of labour. He asked, had they done so, or attempted to do so? No; they had broken their pledges and promises, and it was therefore the duty of Parliament to interfere, seeing it was ever their duty to protect the weak against the oppression of the strong. They were told that they had no right to interfere between man and master; but he denied that they were interfering with men; they asked a Ten Hours Bill for women and children, who were compelled either to work in factories or starve; for let the House recollect that it was machinery which destroyed the labours of the weaver and the comber at their own homes; and he had been told by a respectable manufacturer in the north of England, a supporter of the Ten Hours Bill, that he firmly believed that in ten years the comb machinery would destroy the labour of 70,000 operatives. It was for women and children that they interfered; but a Ten Hours Bill would be for the benefit of all, and secure more regularity and uniformity in labour. Why, at the present time, many mills were not working more than six hours a day; at other times they would be working twelve hours: so that the operatives were either wholly overworked, or on short time and starving; and he believed there was a probability that, ere long, the works would be shut up altogether. He had no hesitation in saying, that in some of those factories greater labour was required than any horse in this country could perform; and that, as a consequence, factory workers died by thousands. In fact, it had been ascertained that men could not endure factory labour beyond the age of 45 years. The hon. Member for Montrose said, "Leave the women and children to themselves, and they will settle their disputes with the masters by themselves;" but, did any man suppose that when a woman went to a mill to gain only 6*s.* or 7*s.* a week, in order that she might be able to furnish her hungry children with food, she would not work off her fingers' ends rather than see them without the sustenance they required? Many of these poor women had said to him—"You little know what our sufferings are: you little know what it is to come home at night, and hear our children crying for food. If you were in our situation, you would not hesitate to work ten hours a day to get food for them; and so will we, as long as God gives us life and strength to do so." The hon. Member for Durham, on Wednesday last, made some extraordinary statements in his speech, and in so firm and determined a manner, that he had no doubt many Members of the House believed them to be true. The hon. Member, in one part of his speech, said—"Such speeches as used to be made by Lord Ashley had not been repeated that day, except by the noble Lord the Member for Newark, in the letter which he had read; but Lord Ashley used to make speeches in that House which were now given up; and he believed that the friends of the measure itself did not credit the facts that had been stated." Now, he was prepared to challenge the hon. Member to name one statement that Lord Ashley had ever made in that House, connected with the Ten Hours Bill, that was not strictly true. It was not manly in that hon. Member to come to that House and attack Lord Ashley behind his back. "He cannot be here," said the hon. Member for Bath. [Mr. Roebuck: I did not say so.] He hoped the next time the hon. Member for Bath interrupted him, he would speak so loud as to be heard. He certainly understood him to have made the remark he had quoted. He would repeat, that the hon. Member for Durham ought not to have attacked Lord Ashley, when he had no opportunity of meeting him in that House, and defending himself. He should be guilty of ingratitude to that noble Lord if he sat in that House, and allowed his character to be so unjustly attacked, when he remembered the sacrifices he had made in fighting this question. He had sacrificed his seat for the principles which he held on this question. Previously to the Ministry having publicly stated their determination to change the corn laws, the noble Lord published a letter in the newspapers, and intimated to his constituents that he was prepared to vote for that measure; but he believed he was justified in saying—though he did not speak on the authority of the noble Lord himself—that a communication was made to him by some of the leading cotton-spinners of Lancashire, that, if he would support them in obtaining the repeal of the corn laws, they would support him in a Ten Hours Bill. He would prove that to the House before he sat down; but, in the meantime, he wished to say that the noble Lord sacrificed his seat for that measure, which, during the best part of his life, he had advocated. The noble Lord had recently been in Lancashire, attending vast meetings of the operatives on this question, and no one had opposed him. He was at Rochdale, and he believed the hon. Member for Durham was invited to meet him. [Mr. BRIGHT was not invited.] He understood that the hon. Gentleman had been invited; but would he deny that he was in the town when the noble Lord held a meeting there? The brother of the hon. Member (Mr. Bright) went to that meeting; he had the "pluck" to go and advocate the views he held on this question; but the hon. Member did not go to meet the noble Lord face to face, and there to make such charges against him as he had made in that House. His brother, however, did appear among his own factory people to oppose the measure of Lord Ashley, though not a single man could be found in the meeting to stand up and assist him. He again asked what statements did Lord Ashley ever make in that House, that the hon. Member for Durham was prepared to dispute? Two years ago the statement made by Lord Ashley as to the distance children walked in factories was attempted to be disputed by the hon. Member; and what was the conduct of the noble Lord on that occasion? It was manly and straightforward. He said children walked from twenty to twenty-seven miles a day. Lord Ashley gave a challenge to Mr. Ashworth, Mr. Gregg, or any other millowner, to meet Mr. Kenworthy and Mr. J. Fielden, assisted by two operatives, who were to be accompanied by an actuary, to test the validity of Lord Ashley's calculations. This challenge was delivered to Mr. Ashworth; but, after communicating with the other millowners, he declined it. He asked, was the hon. Member for Durham prepared to meet Lord Ashley at the present time; and if the hon. Member was justified in making upon him the attacks which he had made in that House? But the hon. Member made another extraordinary statement on Wednesday, as to a petition against the corn laws from Manchester, which he said was signed by 75,000 of the people of Manchester, and which he contrasted with one signed by 22,000 in favour of a Ten Hours Bill. Now, the whole population of the borough of Manchester was 242,614, which would not give more than 120,000 males; of this number there was not more than one in three males of sufficient age to sign a petition; which would allow 40,000. It was, therefore, for the hon. Gentleman to inform the House how the remaining 35,000 signatures were obtained, even supposing the whole male population of Manchester capable of signing had signed it. 22,000 signed in favour of ten hours—a fair test of the opinion of the inhabitants of Manchester. He should be glad to hear the hon. Member for Durham explain how it was that the League got up this petition; and how many of these signatures varied in price from 8*s.* to 14*s.* The hon. Gentleman also denied in that House that the operatives were ever asked the question whether they were prepared to accept the Ten Hours Bill regardless of its effects upon wages. Now, this question was put to crowded meetings in twenty towns—Manchester, Bolton, Bury, Blackburn, Oldham, Ashton, Preston, Rochdale, Leeds, Bradford, Halifax, Huddersfield, Keighley, Holmfirth, Barnsley, Dewsbury, Wakefield, Glasgow, Paisley, and Dundee. It was not put at Edinburgh, because there were no factory operatives there; and as to Glasgow, he was quite certain. At each of the meetings in England the following resolution was unanimously adopted:—

> "That the factory workers composing this meeting are quite prepared to accept the Ten Hours Bill, regardless of its effects upon wages, leaving the prices of labour to be regulated by circumstances."

Now, at the time the hon. Member for Durham was making the above statement to the House, his own newspaper, the *Manchester Examiner*— [MR. BRIGHT: I have nothing to do with the *Manchester Examiner*.] He was glad to be put right; but it was stated all through the country that the hon. Gentleman was a proprietor of that paper. Had the hon. Gentleman no interest in that newspaper? [MR. BRIGHT: None whatever.] Did he understand the hon. Member to say that he was not a shareholder, and had nothing whatever to do with the *Manchester Examiner?* ["Oh, oh!" *and* "Order!"] [MR. BRIGHT: I have no connexion with it whatever.] He considered himself quite in order in putting that question to the hon. Member; and he would put it to the Speaker whether he was in order or not?

MR. SPEAKER: No, you are not.

MR. FERRAND: Well, to leave that point, he found in the *Manchester Examiner* a report of the meeting at Rochdale, in which the very question about wages, which the hon. Member for Durham denied was ever put to the operatives, was stated to have been put and carried in the affirmative by the meeting. On the very night, too, that the hon. Member made that statement to the House, a communication was sent off to Bradford, in Yorkshire, and by twelve o'clock next day the town was placarded for a meeting in the evening to test the statement of the hon. Member. On this subject, he would read the following communication from Bradford:—

> "As to the question of a reduction of wages to the operatives, if a Ten Hours Bill be made the law of the land, it ought to be blown to the winds. We had a meeting here last night in Christ Church school-room, the Rev. William Morgan, minister of Christ Church in the chair, for the purpose of testing the factory operatives whether they would be willing to submit to such a reduction, if it was to take place, consequent on the passing of a Ten Hours Bill; and, although the bills calling the meeting were only posted on the walls of the town at noon, the room was filled from one end to the other; and when that particular question was put relative to the reduction of wages, in consequence of having a Ten Hours Bill, every hand was held up for it, and carried it, with shouting and clapping of hands and other marks of approbation."

That was the feeling of the operatives of Bradford; and he also held in his hand a letter from Keighley, in which it was stated that all the clergy, all the shopkeepers, and forty-nine out of fifty of the adults, had signed a petition in favour of the Ten Hours Bill. But he would now come to another extraordinary statement made by the hon. Member for Durham. He said the mechanics of the north of England were delighted to work fourteen or sixteen hours, and he did not know how much longer, if they were only paid for it. Now, he had received a communication from the mechanics of Manchester, in which they said—

> "We, the undersigned, having been appointed by the mechanics of Manchester, in meeting assembled, to contradict certain statements made by Mr. John Bright, we will not say where, on Wednesday the 10th instant, during the debate on the Ten Hours Factory Bill, beg leave to request your acceptance of the enclosed pamphlet and circulars, a perusal of which, we think, will convince you that the statements made by that gentleman relative to the desire of the mechanics as a body to work long hours, is calculated to mislead the public, and misrepresent them. The publishing of the prize essay was decided upon at a delegate meeting representing the mechanics of Great Britain and Ireland, in May, 1845; and the address to the employers in the month of July, 1846."

Why, the mechanics of Great Britain had had a meeting to decide what steps they could best take to reduce the hours of labour, and they offered a prize to any person who should produce the best essay on the subject. He would ask the hon. Member for Sheffield to say if he was prepared to defend the promise made by the manufacturers to the operatives, that they would assist them in getting a Ten Hours Bill, if they would lend their efforts towards obtaining a repeal of the corn laws? In the years 1843 and 1844, when the agitation for the repeal of the corn laws was so popular among the millowners, and not among the operatives, an effort was made by the former to obtain the assistance of the latter; and John Brooks, of Manchester, accompanied by several other Leaguers, attended several meetings of the operative cotton spinners, and held out the Ten Hours Bill as an inducement to them to join the agitation. The result was, that several of the most active did join, and, at the expense of their own body, went over the district to induce the factory workers to join in the agitation. Mr. Henry Ashworth, who was the instrument of the masters in opposing the Ten Hours Bill, at a public meeting held in the Temperance Hall, Bolton, said—

> "That the existence of the corn laws was the cause of the long hours system; and that unless the system was altered, the manufacturing population would become a race of pigmies."

Was not that holding out encouragement to the operatives? On the 24th of May, 1844, this gentleman wrote to the Ten Hours Bill delegates in London. He was then chairman of the masters' deputation in London, opposing the Bill, and said—

> "Perhaps your chairman will allow me to appeal to himself in reference to my own publicly-expressed opinions in reference to the hours of labour—views in which I believe a great many manufacturers concur—namely, that every day something like two hours labour is required, if not directly imposed, by the corn laws and other restrictions upon trade, and that these restrictions must be removed before any permanent reduction of the hours of labour can be effected. Possibly some of you may deem us mistaken; but those who have observed my solicitude for the freedom of industry will do me the justice to admit that I have not been unmindful of a reduction of the hours of labour as one of the objects sought to be accomplished."

Now they had got the repeal of the corn laws, and he asked, were they prepared to fulfil their part of the compact? Or was it to be tolerated, after all this, that the manufacturers should come to London, and publish statements for the purpose of frightening the Members of that House from performing their duty, by the allegation that unless they had twelve hours labour, they would be ruined by foreign competition? He would not, however, argue this case on such grounds as these. He claimed the support of these men as an act of duty and of justice on their part; and he repeated, that if they were trying to intimidate the House by such statements as those they had published, for the purpose of enabling them to rob the poor men of those rights which they had promised to them, then were they guilty of dishonourable conduct. The working men had performed their part of the compact; they had set their masters an example which, if they wished to be respected, they would now follow. He had stated that the master manufacturers pledged themselves to Lord Ashley—and he was ready to prove his statement, that they pledged themselves through Mr. Gregg—to the effect, that after the repeal of the corn laws they would not oppose a Ten Hours Bill; that they would not oppose a reduction of the hours of labour. Lord Ashley, on the 15th of April, 1846, addressed the following letter to the secretary of the Lancashire Central Committee; it was only a short one, and it was an act of justice to Lord Ashley, as well as to the Ten Hours operative labourers, that the letter should be read:—

> "Sir—Messrs. Horrocks and Miller have, I perceive from a Preston paper, put out a contradiction to the happy results of abridged labour. I have just read a similar statement in the *Manchester Guardian* of April 11, in a letter from Mr. R. H. Greg.
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> "This last-mentioned document has caused me some surprise. Mr. Greg did me the honour to call on me at the Albion Hotel, in Manchester, within a few hours of my arrival on the 2nd of March; he expressed a strong desire for the settlement of the short-time question, and said that the manufacturers, by the repeal of the duty on raw cotton, and by the abolition of the corn laws, would be placed in so advantageous a position that the working people ought to have their share of the common benefits; he should, therefore, be quite ready for an eleven hours Bill; and he added that though he lately entertained a different opinion, he was now convinced of the necessity of imposing such a restriction by law; the result could not be attained by common agreement. He asked me how far such an arrangement would be satisfactory, and lead to a close of the agitation? I replied, 'That I, and I believe those whom I represent, would accept it, and give the plan a fair trial, reserving to ourselves the full power to renew the question of the ten hours on any fitting occasion.'"

Now, that was the statement which Lord Ashley made; and Mr. Gregg, on the 25th of April, published a letter in the *Manchester Guardian*, in which he says that Lord Ashley, in his conversation with him, had answered in what he considered a reasonable and proper spirit, "yet quite inconsistent with his former professions." Now, he would show to the House that there had been a deliberate conspiracy between the Anti-Corn-Law League and the master manufacturers. What had been the conduct of the master manufacturers of Manchester? The poor workpeople had sent delegates to London to watch their interests, and it was lucky for them they did so, as he was informed that a statement was going to be made that day, during the debate, to show that the operatives of Manchester were opposed to the Ten Hours Bill; and he should not be at all surprised if the hon. Member for Manchester were to get up and make such a statement; if so, it was lucky for the operatives of Manchester that he (Mr. Ferrand) had caught the Speaker's eye before that hon. Member. He was going to show the system of intimidation shown towards the operatives; and he would read to the House a statement headed, "Intimidation of the hands at three mills in Manchester." What did this statement say? It had produced a great sensation on the spot:—

> "On Monday last the overlookers and managers of Messrs. Murry's mill"—

(this showed the manner in which the operatives were intimidated, and that they could not be protected except by the Legislature)—

—"went round to the hands with books in their hands, with columns ruled for the purpose, with these headings:—'Are you favourable to twelve hours, with twelve hours wages? Are you favourable to eleven hours, with eleven hours wages? Are you favourable to ten hours, with ten hours wages?'"

There was no option. If they were to have ten hours work, they were to have only ten hours wages; they were to be bound down to it. It was not a question as to the demands of the labour market; but the master manufacturers protected themselves by binding down their labourers.

"The hands were compelled to sign their name at a moment's notice to these questions, which were put in such a way as gave them to understand that they might incur the displeasure of the master. Messrs. T. and H. Houldsworth adopted the same course. Most of the men signed for eleven hours (short time), and eleven hours wages. Most of the females signed for twelve hours. In Messrs. M'Connell's mill the same course was adopted, with this difference"—mark—"the hands had a few hours notice, and were left to express their desire in their own way; and in this case nearly the whole of the hands voted for ten hours, and told their master they would take their chance about wages."

Left to themselves, they decided for ten hours; under the control of the overlooker of the black book, they put down their names for eleven hours. This was at Manchester, and it showed that the working people must not be trifled with upon this great question. The statement went on—

"Last night a meeting of the factory hands was held in the meal-house, one of the largest rooms at their command, which was crammed to excess. The whole of the business was conducted by factory operatives, at which meeting the following resolutions were unanimously adopted:—

"'1. That this meeting cannot but view with feelings of regret and indignation the conduct of such of the factory masters who have adopted so disreputable a course as to send their managers and overlookers through their mills with books, in which the names of their hands are written, and demanding in a hasty and peremptory manner, 'Are you favourable to a ten or eleven hours Bill, with ten or eleven hours wages?' It being well known to such employers that such a method of intimidation would, in most cases, induce such answers as would enable them to offer further opposition to the measure now before the House of Commons.'"

That resolution was unanimously carried. Now let the House hear the next resolution passed at this public meeting:—

"2. That the factory workers in this meeting are quite prepared to accept the Ten Hours Bill, regardless of its effects upon wages, leaving the price of labour to be regulated by the same law which fixes the value of all other marketable commodities."

Now, would the hon. Member for Durham, or any other Member of the House, say that the operatives were not prepared to accept the Bill? The overlookers kept black books in which they noted down the names of men. He (Mr. Ferrand) had intended to make some other observations upon the speech of the hon. Member for Durham, but he would not trespass upon the House. But before he sat down, he would tell the House deliberately, that the operatives (and he knew their feelings) would no longer be trifled with. The right hon. Gentleman the Chancellor of the Exchequer had told the House that there had been no "strikes" in the north of England, and that the working people had not struck. When the working people in the north of England came to that House and petitioned for protection for their wives and children, the House refused to grant it; it did not refuse it to the wives and children of the colliery working men; and how was the sympathy of the House worked upon? Why, the blue book in their case was embellished with woodcuts, showing the barbarous degradation of the wives and children of colliers. Beware, lest the working men in the factories follow that example. The day might come when Parliament Street might witness 500 factory cripples, wasted and maimed, with loss of legs and arms, their bodies stunted in our factories; and as sure as they should refuse to the operatives the justice to which they had a right in this question, so sure would they take such a step as that to work upon the feelings of the House; and the day was not far distant, if the House refused this Bill, when 500 factory cripples might assemble in Palace Yard, joining in the universal song—the song of the factory children—

"We will have the Ten Hours Bill."

Mr. ROEBUCK said, if noise were rhetoric, and a high opinion of one's own case were argument, the speech of the hon. Gentleman who had just sat down would be a very convincing one. But he (Mr. Roebuck) should take the liberty of addressing himself only to the small portion of what might be called argument in the observations of the hon. Gentleman, passing by, with one or two remarks, the attendant garnish which accompanied the rest of what he said. Imputations were cast by the hon. Member upon all persons who opposed him, and upon all who maintained their own opinions in opposition to his; but as he had not the slightest interest in this matter, as he was totally unconnected with the mercantile portion of the community, and considered in that House only the interests of the community at large, he had not thought it possible that any imputation could have been levelled at him. It was not enough to defend himself from imputation of personal interest in the matter, for there was a new species of crime which had been got up on this occasion. He was accused of being a cold-blooded economist. A great deal of violent language had been employed in condemnation of him, because he cultivated what was called the science of political economy. He had been guilty of having endeavoured, no doubt in a very humble way, but, at the same time, with great earnestness, to ascertain the laws which regulated the accession of wealth; and of inquiring also into the circumstances necessarily connected with the condition of the labouring population of this country. He had done his best to investigate that important subject, and he had come to an opposite conclusion to that of the hon. Gentleman opposite; and he did think that, under these circumstances, it was hard to have all this species of vituperation levelled against him by those who happened to be his opponents. Now, he should hardly have addressed himself to this question at all, if it had not been for an observation that fell from the noble Lord the Member for Newark on the last day's debate. They heard constantly of statements to the effect that such and such a measure should not be made a party question. There had been a constant appeal to "the candour of hon. Gentlemen opposite" in the course of the last day's discussion. And how did the noble Lord finish his speech upon that occasion—a speech wrought up for the occasion with he (Mr. Roebuck) believed half a dozen affecting perorations? His speech finished with this significant observation: "Let the working people of this country understand that the Gentlemen on this (the protectionist) side of the House who are attached to that party which is so replete with historic recollections, are in favour of the Ten Hours Bill, and have not opposed those rights of their fellow-countrymen." "The historic recollections of that party!" He thought if he were to put his hand upon the clear page of history which contained the relation of their doings with respect to the people of this country, he should find one continuous effort to depress their moral and intellectual energies. But he was not called upon on that occasion to enter into the lists with the noble Lord upon that subject; he thought that if he were called upon to do so he could do it. But this was not a question into which to import any feelings of party spirit; and he would, therefore, address himself to the great question, for a great question it was which was at present occupying the attention of that House, and which would eventually create the greatest interest in this country. And to hear of the hon. Gentleman opposite (Mr. Ferrand) threatening them with a congregation of cripples in Palace Yard, to influence their judgments by their feelings because they might see humanity in a crippled shape! Was that sort of proceeding worthy of a man who called himself the representative of a civilized community, or of rational men? Why, they knew that there were misfortunes attending all classes of the community; they knew that human nature was subject to toil for its bread. Labour was the inevitable law of humanity. But was it rational to approach such a question as this in such a manner as proposed, to control him and the other hon. Gentlemen of that House with threats too—for the hon. Gentleman had told them so. The hon. Gentleman threatened the House with the appearance of 500 cripples in Palace Yard to carry the Ten Hours Bill. Why, any rational man would point with the finger of scorn to any body of men whose conduct might be influenced by such a sentence as that. Now, the truth was, that hon. Gentlemen made this great assumption with regard to this question—they assumed that they could regulate wages by Act of Parliament. And when the hon. Gentleman the Member for Knaresborough said that this question was not fairly put when they asked the labourer, "Are you willing to take ten hours wages for ten hours work?"—that, he said, was not a fair way of putting the question. That was not the way in which he put the question, he would allow. The hon. Member put the question thus: he began by saying, in the most positive manner (for he did say so in many places), "Now, I know full well that if you have this Ten Hours Bill, you will get twelve hours wages. Now, I tell you that beforehand." Then he put this question, "Now, having told you that, are you content to run the risk of having this Ten Hours Bill?" Why, was it not human nature, that people who, perhaps, had but little mental capacity to judge on this question, should say, "Why, you see this gentleman tells us that we shall have twelve hours wages, and we will run the risk of saying, 'Give us the Ten Hours Bill.'" But was that any argument? Not at all. Now, the question was this: could they by any legislative enactment get for the labouring men twelve hours wages for ten hours work? If they could, let them do it. But let them go one step further, because, if an Act of Parliament were omnipotent, as the hon. Member said—if it could give twelve hours wages for ten hours work, it could also give twelve hours wages for six hours work. And let them carry it one step further, and give twelve hours wages for doing no work at all. But, unfortunately, the hon. Member for Weymouth had also dealt in this fallacious sort of rhetoric; he said, "What is the use of over-production—what is the use of labouring too long; why can you not regulate the hours of labour, so that you shall not at one period of the year overwork the people, and at another not have sufficient employment for them?" But unfortunately these circumstances could not be determined in that way. The hours of labour were regulated by a totally different concatenation of events from that, and it was simply this: a man having a certain capital to employ was able to employ a certain number of labourers to produce a certain article. With that capital he had to compete with other men in the home and foreign markets. If those other men were enabled to bring into those markets a cheaper product, then that cheaper product was bought up, and his product was put aside, and the manufacturer failed therefore in his intention. Now, that was the simple statement of the case, and was absolutely and necessarily the consequence that followed from competition. The noble Lord the Member for Newark said, "Mark what you are producing by your long hours of labour; you are not only inducing the people of England to over labour, but you are inducing long hours in America." Why, they knew to their cost that America was competing with them; and they might depend upon it that, if they pursued this course of legislation, America would not imitate them. She would labour until she had dispossessed us in America; and we should never recover when once she had dispossessed us. Now, he would ask, when was it that they were about to make this extraordinary interference with their manufacturing power? At a time when they were about to be taxed more heavily than they had been during the last forty years. They were about to be called upon to maintain 8,000,000 of people. And that was the very moment of all others that they were going to tie up the right hand of the English people. He had heard it said often that we owed our success in our conflict with Napoleon to British valour. There was, however, another element of success in that strife; and it was the British intelligence which supplied the "sinews of war" by which that strife could alone be carried on—the surplus of our produce it was that enabled us to make that gigantic effort by which we coped with Napoleon. We had now an enemy far greater than he—one who exercised a far more potent influence over our fate. We had famine stalking through the land; we had now to cope with him in every part of this country. Ireland was starving—England was at the brink of starvation—and at that moment it was that, for party purposes, this question was raised. Oh, but it was said, that party politics were not intended to be imported in this question; but he could not shut his eyes to the fact. He saw hon. Gentlemen opposite manifest great anxiety to catch at whatever they could, to grapple with the difficulties by which they were surrounded, so that they might get a party triumph. They resorted to every plan for the purpose of catching support. Why, they promised the Irish people mutton one day, and promised Englishmen twelve hours wages for ten hours work the next. And that was called "statesmanship." That was called "dealing with the interests of a great country upon a comprehensive plan." Why, the proposing of "this comprehensive plan" was like the conduct of a man who hoists a light upon a lee coast at night, in the hope of getting something from the shipwreck of some unfortunate vessel that was passing along the coast. Only let it be some vessel in distress; let one light be hoisted for the purpose of deceiving the Irish, and let another be hoisted for a Ten Hours Bill upon that lee shore, so that the Government might get upon the rock, and the objects of that party were served. Now that was an illustration of the conduct of those Gentlemen. But could they do what they had been asked to do? He begged to tell the hon. Member for Knaresborough (Mr. Ferrand), that he was not going to shrink from meeting any body of his countrymen when it was his duty to do so. He had never shrunk from meeting any body of men whom he thought it his duty to meet. But he had not thought it his duty to go as a peripatetic or wandering advocate for any sect. His duty was to attend in that House and express his opinion; and if his constituents chose to ask him to make his appearance amongst them, he should be quite ready when called upon on a proper occasion, and at a proper time; and if the hon. Member for Knaresborough chose to make his appearance also, he should be quite ready to meet him on this subject. He did not wish to introduce the sayings of a noble Lord (Lord Ashley) on this occasion; but he had no doubt that the noble Lord would not decline meeting him on this question with that courtesy with which he would meet the noble Lord. But he did not mean to attack him now. If he chose to attack any body, it was the noble Lord opposite (Lord G. Bentinck), the leader of that great party—" my party." It struck him that upon this question the labouring population of this country (he acknowledged it) entertained an opinion distinctly opposed to his own. He sincerely believed that a large body of what was called in the new phraseology " the operatives of this country," seriously believed that by an Act of Parliament they could regulate wages. Now, he differed from them entirely; and he had such confidence in the truth of his opinion, and so thoroughly was he a friend to the labouring population, that he wished to see them enabled to give effect in that House to their wishes and desires. And he hoped that this new direction of the philanthropic efforts of the labourers' friends would oblige that House to propose and extend to the labouring population the constitutional right of voting for Members of Parliament —so that they might have in that House a virtual representation of the interests of the labouring man. He did hope that the hon. Gentleman on his left hand (Mr. Duncombe) would be more efficiently supported than he had hitherto been in his efforts to procure a proper representation of the working classes in that House. He did hope that that hon. Gentleman would in such efforts have the assistance of the hon. Gentlemen opposite—or that they would have a " large and comprehensive scheme" —submitted to their consideration by the leader of that great party opposite (the protectionists), which should give to the labouring population of this country their strictly constitutional rights. When that time arrived (and he hoped that it would soon come) they would have an opportunity of testing the sincerity and the value of the declarations of the hon. Gentlemen opposite. He was compelled in self-defence to make this examination of their proceedings. When hon. Gentlemen dealt with the people, they always dealt with them with a patronising air. They were always patting them on the head as if they were dealing with a child—and said, " We will do all the good for you we can; now do you be quiet and just listen to us. We will be your pastors and masters; but you must be quiet: we will give you everything that you can desire in the condition into which it has pleased God to call you; but don't for Heaven's sake ask to be legislators." He differed entirely from that mode of proceeding with regard to the labouring classes. He wanted them to be legislators for themselves. He wanted them to have the responsibility of getting this measure themselves, and not to be under the necessity of inducing others to get it for them. He did believe that there was no greater calamity which could impend over the people of England at this time, than the carrying of this question. And when the noble Lord at the head of Her Majesty's Government told them the difficulties of his financial position—and in the extraordinary difficulties of this momentous crisis he could heartily and deeply sympathize with the noble Lord in the position which he held—fully and completely was he willing to express his hearty concurrence in the wishes for his complete success; but as sure as the noble Lord was now the chief adviser of the Crown, let him be so sure that he was crippling the energies of this country, by bringing the authority of his great name to this most amazing and pernicious policy. Why, was the noble Lord aware that in dealing with this question in the present emergency, he was dealing with a great moral and political question? Could it be that this agitation would stop even if an Eleven Hours Bill were granted? Why, if legislation were worth a farthing, it was good for two hours as well as one; because, if they were to interfere with that great principle that had been enunciated on the preceding night by the right hon. Baronet the Member for Tamworth—if they were to interfere between master and men, to regulate private enterprise and the price of labour in the labour market, let them do it effectually. If they could make a man happy, let them make him completely happy—if they could get for him twelve hours wages for ten hours work, let them advance one step further, and give him twelve hours wages for not working at all. Why, this was mere trifling with the subject. He would rather vote with the hon. Member for Oldham for the Ten Hours Bill at once, than for an Eleven Hours Bill. The hon. Member for Oldham had said, that after having made calculations, he had arrived at the conclusion that the working man would receive twelve hours wages for ten hours work. He knew, he said, that the wages of labour would not fall. He said, "I know that by Act of Parliament you can prevent the reduction of wages; and I am sure that the condition of the people will be completely raised." He admired the practical conduct of the hon. Member; but, for the life of him, he could not see how the noble Lord had arrived at his conclusion. The right hon. Baronet the Secretary of State for the Home Department had put the great argument upon this question in the moral force way: "Why," he said, "do you talk about this measure now, when you had sanctioned its principle before?" Now he had always talked upon this question: he had opposed legislation for adult labour upon every occasion. It was only in those cases in which those who were not *sui juris* able to offer opposition, and to defend their own interests, that the law should step in; and on such occasions he had repeatedly contributed his assistance for the purpose of allowing the law to step in. But it so happened that hitherto they had not touched upon adult labour except in a very small degree, and he would state why directly. Now, this was one of the great fallacies that had been manifested by hon. Gentlemen on the opposite side of the House. The hon. Member for Knaresborough rose up and described to the House the horrible sufferings of poor children and women in factories; but it was but fair to consider what the law had already done on that subject. The law had regulated the condition of children up to thirteen years of age; no child until it was thirteen years of age could be worked more than six hours a day. The factory master was compelled to educate that child. Now that was what Parliament had already done. He would just look into this subject of interference by Parliament between masters and those in their employ. He would ask why this parliamentary legislation had not been extended to the agricultural labourers. Their argument against such interference was usually this: "You have a large manufacturing population crowded together—you can legislate for them—you can overlook them—you have got them in factories; there you can put your hand upon them, and you can make laws for them; but you can't do that with agricultural labourers." Now, he wanted to know why they could not make such a law as this: that no farmer employ a child under thirteen years of age for more than six hours a day—and that he shall educate such a child as they educate children of that age in the factories? Now, he would test hon. Gentlemen opposite by proposing a clause himself in this Bill—and there could be no difficulty, because every parish, he believed, in this country had a national or some other sort of school; and if there was a school, let the farmers be under similar laws to the manufacturers with respect to such children. Now, let him say a word about agricultural labourers above thirteen years of age. If any young gentleman, who wished to employ a rather strong weapon with a weak hand, could dress up an affecting tale, oft repeated with his own somewhat diluted phraseology, he came and told the House—"I am coming to advocate the rights of woman." Now, he never heard any one of those Gentlemen propose to extend the principles of this Bill to the agricultural labouring woman; and yet he saw women constantly employed in agricultural labour, in cold and wet—and at 4*d.* a day. Now, it was their favourite theme to describe the horrible effects of factory labour upon the human frame. Now, he certainly did not pretend to have any professional knowledge upon the subject, although the hon. Gentleman opposite had declared to the House what was his opinion upon the subject. But he (Mr. Roebuck) was ready—and he had read a great deal on the subject, and had gone through a great number of factories—he was prepared to say that a woman employed in a factory, as regarded her health, her clothing, her wages, her shelter from the weather, and from alternations of heat and cold, was in a condition ten thousand times more happy than that of the agricultural labouring women whom he had seen absolutely driven out of the field from cold and wet. The House must recollect the way in which hon. Gentlemen opposite stood up to assert that the masters in the manufacturing districts were dealing most cruelly with those in their employ; and there was a constant attempt to set the employer against the employed. He did not say that that mode was adopted by intelligent, philanthropic gentlemen; but it was done by the vulgar declaimer—by one who was a wretched rhetorician, and who had not anything but the most vulgar means of obtaining a vulgar end—who made use of fallacious arguments, vituperation, and noisy declamation, and talked about black books and taskmasters and oppressors, and the "cruel manufacturers." Now, he (Mr. Roebuck) was not going to retort upon the persons who employed agricultural labourers. The agricultural labourer was badly paid, because his master could not pay him better. The agricultural labourer was badly clothed, because he was badly paid and badly fed, for the same reason. But all the evils which were attendant upon his condition in relation to his master, applied precisely to the case of the factory operative; for if the factory operative had not high wages or good clothing, it was because it was the misfortune of himself and his employer. They could not regulate his wages by an Act of Parliament; they depended upon circumstances beyond the control of either. It was the height of folly and of vice to shut men's eyes to this great truth, that it was a great crime to impute the cause to the master manufacturers. It could not be said that he was connected with the masters. He did not know half a dozen of them, and none of them intimately. He had never connected himself with any of their agitations about the corn laws, and therefore he had a right upon this occasion to step forward and vindicate the character of the English master in his relation with his servants employed in his factory. Now, if he wanted to take a foreigner coming into this country into an assemblage of men where he could point out to him the benefits arising from civilized life, strange as it might appear to the declaimers opposite, he would take him into those great hives of industry in the northern towns of this country. He would not take him to the hovel of the agricultural labourer—he would not show him that poor woman who was paid but 4*d.* a day—he would not show him the half-clothed, badly-fed, and wretchedly-housed agricultural labouring woman; but he would take him to those great establishments which had sprung up under the influence of the mighty intelligence and enterprise of England, and which employed, and fed, and educated thousands and thousands of men in a far better manner than it was the fortune of the agricultural labourer to be employed, fed, and educated. No man who had attended to the history of labour in this country for the last forty years, could fail to see that the labouring man had been greatly improved in the scale of civilization. He was acute and clever. Why, he had heard men twenty thousand times in his life say, it was not among the tradesmen or the better class that he was to go for an acute and intelligent population, but it was to the factory operative. Now, no doubt, in spite of all the endeavours of the masters of this country, there was, and there would be for many years to come, a vast mass of ignorance and wretchedness in this country; but they could not remove that ignorance or wretchedness by an Act of Parliament. They must endeavour to educate the children as much as they could, as had been done in the factories. Let them extend to the child of the agricultural labourer that provision for education which they had already extended to the child under thirteen years of age employed in factories. Now, he wanted to know why there should be this remarkable anomaly? He dared to say he should expose himself to abuse if he offered an illustration of this matter; but as a curious circumstance, he should like to ascertain this —with respect to the printers in this great town employed on *The Times* establishment—he should like to know how many hours they worked by night, and whether there was any interference of the Legislature, or any Act of Parliament, with regard to their working hours? And if not, why not? Why should not an Act of Parliament step in and say, "You must not go to work at four o'clock in the afternoon, and come away at six, or whatever hour it might be. You shall not have the printers' devils, as they are called, without giving them an education; and you shall not work them more than six hours a day, and you shall not work them at all at night." Now, he wanted to know if they had any legislative interference with regard to the large establishments in London; and if not, why not? because if it were good for the factory child in the north of England, surely it was good for the printer's boy in Printinghouse-square. He could not draw any line of distinction between the two; and he should very much like to see this great principle, as far as it regarded children, thoroughly and completely carried out, and that they would extend its provisions to the children of the agricultural labourer. With a view of meeting the difficulty in that respect, he would, as he had before said, propose a clause for insertion in the Bill. He could not conclude without making some allusion to a statement that had been made by the Secretary of State for the Home Department. It had been said that the Legislature had already interfered with regard to the hours of labour of certain classes of operatives—the labourers employed in water power establishments, for instance. Now, water power was subject to vicissitudes that steam power was not. Water power diminished in dry summers, and the mills could not be worked; but when the water arrived, the flood came down, and the mills were enabled to work the number of hours allowed by law, namely, twelve. But he was informed that the result of the interference of the Legislature with the hours of labour in those mills was, that several of them had been stopped altogether. They had *pro tanto* crippled the energies of this country. But there were some hon. Gentlemen who knew very little of trade, who said, "Why don't you work regularly twelve hours a day throughout the year, and then you will have stocks ready for the market when they want them." Why, he wished that such hon. Gentlemen would pass some hours or months out of the House, and be subject to all the troubles of a great merchant of this country; and if they would, they would understand that the market was not dependent upon them—that they could not regulate the demand—and that the supply should be equal to the demand if they wished to succeed. It depended upon the demand, and that demand depended upon the seasons. If they had a favourable season, they had a great demand for labour; and, if they had an unfavourable season, the demand for labour was proportionately decreased. The merchants were, therefore, subject to all vicissitudes and change of season; and what injustice it would be to pass a law to compel them to employ their men at all times neither more nor less than 12 hours a day. The consequences of such legislation were to him (Mr. Roebuck) exceedingly fearful; and he did beseech the House—though in so doing he had but little hopes of his being able to influence their determination much—but he did beseech them, if they intended to interfere at all with the factory operatives and their masters, that they would make it a Ten Hours Bill at once. They would save themselves an immensity of anxiety and trouble by so doing. He should be extremely sorry if the first person who felt the consequences of this altered legislation were the Chancellor of the Exchequer. He knew that there was disappointment in store for large classes of working men; and it might be that the hon. Member for Knaresborough would live to see the day when he would not be thought of by the working men as he was now, and when the working men would find that the prediction which the hon. Member had made with his usual assurance that wages would not fall, had been grievously untrue. The workmen would say, when they found this decline in their wages, that the hon. Gentleman the Member for Knaresborough was a false prophet, for that hon. Member had often declared in that House that wages would not fall if the short-hour system were to be adopted. Disappointment in these anticipations would be the inevitable result; and so sure as that came, so sure would the workmen themselves be the very first persons to complain to Parliament of the mischief which had been inflicted upon them. It was the operative class who would feel it first and most direfully; the consumer would feel it also; and the nation, as a nation, would feel it to its heart's core; and when they came to a vote of supply, the Chancellor of the Exchequer would feel all his energy crippled, he would find that the finances were cut short, by the right arm of England being withered.

Mr. P. BORTHWICK said, the hon. and learned Gentleman had treated the question as if this was the first attempt to regulate the subject of labour; but the hon. and learned Gentleman could not have forgotten that this Bill was not a Bill to regulate all labour, but to regulate the labour of children and of adult women. The hon. and learned Gentleman said, that the Chancellor of the Exchequer would be the first to suffer. But what did experience prove since the first interference took place with the labour in factories? Had manufactures fallen off in consequence of the regulation with respect to children? On the contrary was it not true that the commercial prosperity of the country had continued to increase? Not anticipating any of the evils which had been predicted as likely to arise from the interference of the Legislature, he trusted that the experiment would be fairly tried by passing a Ten Hours Bill.

SIR R. H. INGLIS said, however near his local position might be to that of the hon. and learned Gentleman the Member for Bath, it was not often that he could agree with him in opinion; but on the present occasion he had heard two of the remarks of the hon. and learned Gentleman with infinite pleasure. One of the remarks to which he alluded was, that, sooner or later, the passing of the measure now under consideration was inevitable. He entertained that opinion three or four years ago, when he differed on that point with those political Friends with whom he had so long acted, and when many hon. Members were needlessly dragged through the mire to rescind a vote which they had previously given. The other point on which he agreed with the hon. and learned Member for Bath was this, that he would rather take the Bill without the modification intended to be proposed by the Government. He did not see why the Government should endeavour so fruitlessly to defeat the hopes of those persons who were more immediately interested in the measure, and at the same time prolong a vexatious agitation out of doors. He, therefore, trusted that Her Majesty's Government would reconsider the determination to which he feared they had come, and would suffer the Bill to pass in its present shape; because, even should it ultimately prove injurious, it would be as easy for them to come down to the House in the year 1849, and propose to re-enact the provisions under which labour was at present carried on. It was not necessary for him to defend the hon. Member for Oldham (Mr. Fielden), or his noble Friend (Lord John Manners), whose name was also on the Bill, or his noble Friend (Lord Ashley), the great originator of the Bill; but he might be permitted to say, that, disagreeing as they did on almost every other subject, it could not be supposed that they had now united for any party purpose: on the contrary, they were actuated by the highest and purest motives. It was said, that this was an interference with labour, and that it would operate in an injurious manner. But had any of the previous prophecies on the subject been fulfilled? Had the profits of the manufacturers been diminished? Had the wages of the factory workers been reduced? If previous prophecies had not been fulfilled, why should the House be called upon to give credence to those which were now made? The hon. and learned Gentleman said, that he had a great question to deal with, and that he would pursue it. But who could have supposed—discursive as the mind of the hon. and learned Gentleman was known to be—that in such a debate he would have taken the opportunity of introducing the doctrine of universal suffrage, and requesting those who supported the present measure to show themselves friendly to the labouring classes, by extending to them the right to vote for Members of Parliament. His great object was not to raise the price of labour, nor the actual expense attendant upon the manufacture of cotton, but to distribute the work more equally. At the present moment, as he was informed, the work was distributed not over the six days of the week, but in many mills over four days only, and in others for only three days, the work being the same in quantity. He had letters from Manchester which stated, that some mills only worked four days in the week, some only three days, and some were entirely stopped. He wished to call the attention of the House to the fact, that at this moment there were men working forty-eight hours per week—being four days of twelve hours—who would, so far from their labour being diminished, work fifty-nine hours. But that work would be distributed over the whole week, so that they would get six days wages for six days work, and the manufacturers would derive a greater amount of work by the adoption of that system. The number of hands employed during only four days in Manchester, was 2,240; those employed for three days, were 3,059; and there were 520 employed for one day in the week; whilst those not employed amounted to 6,415; making a total of those partially stopped from work and those altogether stopped, amounting to 12,264. If the work now given were distributed more equally, it would be of greater benefit to the workmen, and afford an increased produce to the manufacturers. He trusted Her Majesty's Government would reconsider the measure, and allow it to pass in its original form.

MR. TRELAWNY objected to the Bill, because he considered it a distinct invasion of the rights of property; it would invade not only the capital invested in manufactures, but the labourer who, with a large family, desired to work 14 or 15 hours a day, would also be affected by it, for it would limit his ability of providing for those dependent on him.

Sir G. STRICKLAND should not have trespassed on the attention of the House, but for the remarks of the right hon. Gentleman the Chancellor of the Exchequer, which had been repeated by the hon. and learned Member for Bath—namely, that the labourers in factories were as well off as agricultural labourers. This statement struck him the more forcibly, as he had, only a few hours before, presented a petition, signed by nearly 6,000 factory labourers, stating that their situation, in consequence of the long hours of labour, was much inferior to that of all other artisans and labourers of every description in the United Kingdom. In drawing a contrast between the situation of the factory labourer and the agricultural labourer, the first thing that struck him was the difference in the number of hours each was employed. The agricultural labourer was absent from his cottage twelve hours during the day, working ten; but the factory labourer was absent from his house fourteen hours, and worked twelve. The factory labourer was employed in a heated and impure atmosphere, whilst the agricultural labourer was enjoying a pure and invigorating breeze. To show the case more clearly, he would take the case of two females employed during one of the days in the month of December. The female employed in agricultural pursuits would not go to her labour till eight o'clock in the morning. The factory woman generally had to rise soon after five o'clock, and frequently walk a considerable distance through the rain in order to reach the factory door in time for the ringing of the six o'clock bell. The factory woman, therefore, had to work two hours before the commencement of the labours of the woman engaged in agriculture. Did not that show a great difference in their relative positions? The agricultural labourer, after continuing her work till four o'clock, could then go home to her domestic comforts; but the woman employed in a factory could not leave before eight o'clock—thus showing four hours continuous labour, in addition to the two in the morning. After this statement, could any one say there was no distinction between the situation of the two classes? With respect to what had been said on the subject of the reduction of wages, he (Sir G. Strickland) had never deluded the people by telling them that they would receive the same wages if they worked fewer hours; but had asked if they were prepared to receive lower wages, and their answer was, "We have been told there will be no reduction; but if there should be, we will accept a lower amount, being amply repaid by the increased comfort of our homes." Adam Smith, in arguing the question of wages, said—

> "The masters, being few in number, can combine much more easily." "Many workmen could not subsist a week, few could subsist a month, and scarce any a year without employment." "In disputes with their workmen, masters must generally have the advantage."

If the adult labourer was placed under this disadvantage, and required protection, how much more forcibly did the remark apply to the poor factory girl between thirteen and eighteen years of age, almost worn out and exhausted with toil! The more the subject was discussed, the more would every man become convinced that the time had arrived when it was necessary for the Legislature to assist these unfortunate and overtoiled persons; and he thought the proper means of doing so was by a Ten Hours Bill.

Viscount EBRINGTON was desirous of explaining the reasons for his vote, which were not exactly those that had been assigned by any other Member. He conceived that what was now asked by the operatives was defensible on economical grounds; for all that impaired the health of the working classes entailed positive loss upon the community. Assuming only for the sake of argument, that it was the interest of the master to overwork his men, the profit of the overwork might go into the pocket of the master, but it was a disadvantage to the State. He felt satisfied that any direct interference by Parliament with adult labour was not merely useless, but unjustifiable; and in order to establish the impolicy of overwork, both as regarded the master and the operative, he referred to a case in which the master had extended the hours of labour even to fifteen: during the first two months there was some gain, but in the second two months so much was spoiled, and the machinery was so ill-applied, that it was a positive loss to continue. In his opinion a factory law ought only to apply to boys until they were fourteen, although in the case of girls he would be prepared to extend the limitation to a somewhat more advanced period of life. He strongly deprecated, however, any interference with the labour of adult females.

Mr. NEWDEGATE rose only to say that he had a petition to present which he had been prevented from presenting at the usual time. It was from the solicitors, surgeons, physicians, merchants, manufacturers, shopkeepers, and inhabitants of Huddersfield, praying that the present Bill might pass into a law; and, in compliance with the prayer of that petition, with which he agreed, he should support the second reading of the Bill.

Mr. MARSLAND said, that as a representative of a manufacturing district, whose weal or wo depended on their decision in this question, he thought himself justified in asking their attention for a few minutes. He believed the manufacturers were heartily tired of this question, and were desirous of throwing the responsibility of settling it on the Government. The question, whether the House, without taking any measures to prevent restriction being detrimental to those for whose benefit it was intended, should prohibit parties working beyond a certain time, was a most momentous one. He feared that those who advocated the measure, had allowed their ardour to blind them as to the consequences. The hon. Member for Oldham was of opinion, that even a shorter period than ten hours a day was a sufficient time for any human being to labour. No doubt the hon. Member was sincere; but was his practice in strict conformity to the principle which he had laid down; and were the people whom he employed allowed that rest and relaxation which he considered necessary for their comfort? Or was there not some reason for supposing that the hon. Member was convinced, that, if he carried out his views, those who were dependent upon him must ultimately suffer? If this Bill should pass, and if a great depreciation in wages should follow, let the House reflect what a risk they would run. At present the manufacturers were in a distressed state, and yet a measure like the present was proposed. If the experiment should fail, they would become the victims of their own benevolence; and if the working classes should in consequence demand an Act for the regulation of wages, with what consistency could they refuse it? He was quite ready to admit that the working classes ought to have time for relaxation and improvement. But any improvement that had taken place in the manufacturing districts was not to be ascribed to legislative interference, but to improvements in machinery, which had rendered manual labour less severe. He objected to the Bill, because it would teach men to rely, not on their own exertions and energies, but on the interference of Parliament.

Mr. T. DUNCOMBE said, that if the House wished to come to a division that afternoon, he should not stand in the way of it. He should not detain them more than three minutes; but he must say, that he entirely concurred in one of the opinions of the hon. Member for Stockport (Mr. Marsland). He fully believed that the master manufacturers of this country were completely tired of agitation on this subject. He also believed, that the hon. Gentleman might safely have gone much further, and have said, that both the House and the operatives themselves were tired of the agitation. They were tired of it, because they felt it to be injurious both to the employers and the employed; and if that were so, was it not, he asked, a subject of great regret, when Ministers were about to meddle with the subject, that they could not settle it in such a manner as to put an end to further agitation upon it? Of all propositions on the question, he looked upon an Eleven Hours Bill as the most absurd. What did such a proposal on the part of Ministers prove, but that they had great doubts as to the principle of interference? It was time that the House should make up its mind on the question. Those who advocated a Ten Hours Bill said, that it ought to satisfy the operative classes. The right hon. Baronet the Secretary for the Home Department had told them that he would be no party to the delusion that the working classes would receive twelve hours wages for ten hours work. But let them not deceive themselves. The operatives did believe that they would receive twelve hours wages for ten hours work. They entertained that opinion, not only in consequence of what had been told them, but of their past experience of legislation on the subject. When there was so great a difference of opinion on that point, he regretted the House did not agree to the Committee which he had moved for at the time when the right hon. Baronet opposite, the late Secretary of State, brought in his measure on the subject. His object in moving for that Committee was, to ascertain the effect which the restriction of labour to ten hours would have on wages. He believed, that if it could be shown that the effect of the present Bill would be to reduce wages 25 per cent, even the hon. Member for Oldham himself would oppose it. He had received various letters on the subject. He would only refer to one of them, which had been sent him from Sheffield. It stated that, in that town, trades were working six, seven, and up to twelve hours a day, according to the regulations of each, and that there was no instance in these trades in which wages had not risen. It also stated, that the physical, moral, and intellectual condition of the people was rapidly improving in consequence. The traders in the other manufacturing districts were aware of what had taken place at Sheffield; but as the masters had not as yet come to any arrangement with their workpeople on the subject, it was time the Legislature should interfere. If he thought the present Bill would reduce wages, he would oppose it; but, believing that it would improve the physical and moral condition of the operatives, he should give it his support.

Mr. B. ESCOTT rose to move the adjournment of the debate. He would state why he made that Motion. On a former occasion, he had put a question to the Government as to their intentions with respect to this measure; and the noble Lord the Member for London promised, in answer, that on the second reading he would fully state his intentions with respect to it, and his opinion of its principle. Up to the present moment, however, the noble Lord had not spoken on the measure. He had said a few words on the last night of the debate, but he had not entered upon the question or the principle of the Bill. But that was not his only reason for moving the adjournment. There were other parties besides that of which the noble Lord was the able leader. They had not learned the opinion of the right hon. Gentleman the Member for Tamworth on the question. On a former occasion, when the right hon. Baronet asked the hon. Member for Tavistock not to press for a division on this subject, he said that he intended to state his opinion of it to the House. But there was also the noble Lord the Member for Lynn. ["Divide."] The hon. and learned Recorder of Dublin might interrupt him; he would rather have the hon. and learned Gentleman answer him. The noble Lord the Member for Lynn was the straightforward, energetic, and able leader of a great party in that House. He wished to hear the opinion of the leader of that party also. The House ought to recollect that when hon. Members talked of the satisfaction which the country would feel on the settlement of this question, that it was impossible it could be settled unless the leaders of the different parties in the House came forward and expressed their opinions upon it. He moved that the debate be adjourned.

Mr. SHAW: The hon. Gentleman, amidst many expressions of dissent, had fixed upon him (Mr. Shaw) in particular, and requested him to answer, and not to interrupt him. Then his answer was the same as the cause of his murmur of disapprobation, namely, that he believed the sole object of the hon. Gentleman the Member for Winchester (Mr. Escott), was to impede the progress of the Bill.

Mr. LABOUCHERE was prepared, with the hon. Member for Winchester, to vote against the Bill; but, at the same time, he thought the reasons adduced by the hon. Gentleman for adjourning the debate were extremely unsatisfactory. He had often seen the House consent to an adjournment when Members who might be desirous of addressing it had not had an opportunity of doing so; but he had never known an adjournment moved for in order to give Members an opportunity of speaking who were not desirous of addressing them. He retained the opinions which he had formerly expressed of this measure, and he would offer it every opposition; but he did not think it would be a fair way of opposing the Bill to adopt the course suggested by the hon. and learned Gentleman.

Sir R. PEEL had been accused by the hon. and learned Member for Winchester of a breach of some engagement which it was said he had entered into to speak on this measure. He knew nothing of any such engagement. When it was proposed to resist the introduction of the Bill, he had said that he thought it due to the importance of the subject to allow the Bill to be brought in, and that he should therefore vote in favour of its being introduced; but he had accompanied that statement with a declaration that he intended to offer all the opposition in his power to the principle of the Bill. He had no engagement to speak on the occasion. He retained the opinion which he had expressed with regard to it, and assured the hon. and learned Member for Winchester, that if he had been speaking for two hours up to twelve o'clock last night, he would not have been now anxious again to address the House. After the time that had been wasted, and when their opinions were perfectly well known—when the subject had been completely exhausted

—and when no new arguments had been introduced, he really thought that they better consulted the public convenience, and deferred to public opinion, by remaining silent on the occasion.

Lord G. BENTINCK: As I have been challenged by the hon. and learned Member to state my opinion, I have to inform him that I am in favour of the Bill.

Mr. BRIGHT said, the House would recollect he had addressed them on the subject last week. He had, towards the conclusion of his speech, made certain remarks on the conduct of the Government, and he had been accused of having made these observations at a time when it was out of the power of the Government to reply to them. It might be that the hon. and learned Member for Winchester did not wish to address them at a time when he might be liable to the same objection, and that he had, therefore, moved the adjournment. It was unfortunate that a question like the present should be discussed on a Wednesday; because, for four hours out of the six for which they sat, there were but few Members present. It was only towards the close that Members came down in large numbers, and it was they who had not heard a word of the debate who demanded that the question should be summarily disposed of. He believed it to be of essential importance that the question should be longer before the public, and that it should receive a fuller discussion. He seconded the Motion for adjournment.

The House divided:—Ayes 7; Noes 282: Majority 275.

List of the Ayes.

Bouverie, hon. E. P.
Dennistoun, J.
Duncan, Visct.
Leader, J. T.
Roebuck, J. A.
Trelawny, J. S.
Wall, C. B.

TELLERS.

Escott, B.
Bright, J.

On the Question that the word "now" stand part of the Question, the House again divided:—Ayes 195; Noes 87: Majority 108.

List of the Ayes.

Acland, T. D.
Acton, Col.
Aglionby, H. A.
Ainsworth, P.
Aldam, W.
Allix, J. P.
Arundel and Surrey, Earl of
Baillie, H. J.
Bankes, G.
Baring, T.
Barnard, E. G.
Baskerville, T. B. M.
Bateson, T.
Beckett, W.
Benbow, J.
Bennet, P.
Bentinck, Lord G.
Bentinck, Lord H.
Beresford, Maj.
Berkeley, hon. G. F.
Bernal, R.
Bernard, Visct.
Blackburne, J. I.
Blackstone, W. S.
Bodkin, W. H.
Boldero, H. G.
Borthwick, P.
Bramston, T. W.
Broadley, H.
Brocklehurst, J.
Brooke, Lord
Browne, hon. W.
Bruen, Colonel
Buck, L. W.
Buller, C.
Bunbury, W. M.
Butler, P. S.
Cayley, E. S.
Chandos, Marq. of
Chichester, Lord J. L.
Cholmeley, Sir J. M.
Christie, W. D.
Christopher, R. A.
Churchill, Lord A. S.
Clayton, R. R.
Codrington, Sir W.
Cole, hon. H. A.
Collett, J.
Courtenay, Lord
Cowper, hon. W. F.
Crawford, W. S.
Curteis, H. B.
Denison, E. B.
D'Eyncourt, rt. hn. C. T.
Dickinson, F. H.
Disraeli, B.
Douglas, Sir H.
Douglas, J. D. S.
Duncombe, T.
Duncombe, hon. A.
Duncombe, hon. O.
Dundas, D.
Du Pre, C. G.
Ebrington, Visct.
Egerton, Sir P.
Ellis, W.
Entwisle, W.
Etwall, R.
Evans, Sir D. L.
Farnham, E. B.
Ferrand, W. B.
Finch, G.
Fitzroy, Lord C.
Fleetwood, Sir P. H.
Frewen, C. H.
Gardner, J. D.
Gaskell, J. M.
Gladstone, Capt.
Godson, R.
Gooch, E. S.
Gore, W. O.
Gore, hon. R.
Goring, C.
Granby, Marq. of
Granger, T. C.
Grey, rt. hon. Sir G.
Grimsditch, T.
Grogan, E.
Grosvenor, Lord R.
Grosvenor, Earl
Halford, Sir H.
Hall, Sir B.
Hall, Col.
Hamilton, G. A.
Harcourt, G. G.
Harris, hon. Capt.
Hatton, Capt. V.
Heathcoat, J.
Heathcote, G. J.
Henley, J. W.
Hervey, Lord A.
Hildyard, T. B. T.
Hill, Lord E.
Hindley, C.
Hodgson, R.
Hollond, R.
Hope, A.
Hornby, J.
Howard, hn. C. W. G.
Howard, P. H.
Hudson, G.
Humphery, Ald.
Hurst, R. H.
Hussey, T.
Ingestre, Visct.
Inglis, Sir R. H.
Johnstone, Sir J.
Kelly, J.
Kemble, H.
Lambton, H.
Lawless, hon. C.
Layard, Maj.
Lefroy, A.
Lennox, Lord G. H. G.
Liddell, hon. H. T.
M'Carthy, A.
Mangles, R. D.
Manners, Lord J.
Miles, W.
Milnes, R. M.
Morgan, O.
Morris, D.
Mostyn, hon. E. M. L.
Muntz, G. F.
Napier, Sir C.
Neeld, J.
Neeld, J.
Newdegate, C. N.
Newport, Visct.
Norreys, Lord
O'Brien, A. S.
O'Brien, C.
O'Brien, W. S.
O'Connell, Dan. jun.
O'Connell, M. J.
O'Connell, J.
Owen, Sir J.
Packe, C. W.
Paget, Col.
Paget, Lord A.
Pakington, Sir J.
Palmer, R.
Palmer, G.
Pigot, Sir R.
Plumptre, J. P.
Plumridge, Capt.
Polhill, F.
Powlett, Lord W.
Prime, R.
Pusey, P.
Rendlesham, Lord
Repton, G. W. J.
Richards, R.
Rushout, Capt.
Russell, Lord J.
Russell, J. D. W.
Rutherfurd, A.
Sandon, Visct.
Scrope, G. P.

Seymer, H. K.
Shaw, rt. hon. F.
Sheridan, R. B.
Shirley, E. J.
Sibthorp, Col.
Spooner, R.
Staunton, Sir G. T.
Stuart, Lord J.
Stuart, J.
Strickland, Sir G.
Taylor, E.
Taylor, J. A.
Tollemache, J.
Trevor, hon. G. R.
Troubridge, Sir E. T.
Tufnell, H.
Vane, Lord H.
Verner, Sir W.
Wyse, R. H. R. H.
Vyvyan Sir R. R.
Waddington, H. S.
Wakley, T.
Walker, R.
Wawn, J. T.
Williams, W.
Yorke, H. R.

TELLERS.

Fielden, J.
Brotherton, J.

List of the Noes.

Anson, hon. Col.
Baine, W.
Barkly, H.
Baring, rt. hon. F. T.
Bouverie, hon. F. P.
Bowring, Dr.
Bright, J.
Brown, W.
Bruges, W. H. L.
Cardwell, E.
Cavendish, hon. G. H.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Colebrooke, Sir T. E.
Craig, W. G.
Cripps, W.
Dalmeny, Lord
Dawson, hon. T. W.
Denison, J. E.
Douglas, Sir C. E.
Duncan, Visct.
Duncan, G.
Egerton, W. T.
Escott, B.
Evans, W.
Ferguson, Col.
Flower, Sir J.
Forbes, W.
Forster, M.
Gibson, rt. hon. T. M.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Gregory, W. H.
Hamilton, Lord C.
Hastie, A.
Hawes, B.
Heneage, G. H. W.
Herbert, rt. hon. S.
Houldsworth, T.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Leader, J. T.
Le Marchant, Sir D.
Lemon, Sir C.
Lincoln, Earl of
Lindsay, hon. Capt.
Lockhart, A. E.
Lockhart, W.
Maitland, T.
Marshall, W.
Marsland, H.
Martin, J.
Matheson, J.
Maule, rt. hon. F.
Mitchell, T. A.
Mure, Col.
Neville, R.
Northland, Visct.
Ogle, S. C. H.
Oswald, A.
Oswald, J.
Parker, J.
Patten, J. W.
Pattison, J.
Peel, rt. hon. Sir R.
Pendarves, E. W. W.
Philips, M.
Protheroe, E. D.
Romilly, J.
Russell, Lord E.
Scott, R.
Seymour, Lord
Smith, A.
Stansfield, W. R. C.
Stuart, W. V.
Strutt, rt. hon. E.
Sutton, hon. H. M.
Thesiger, Sir F.
Thornely, T.
Trelawny, J. S.
Villiers, Visct.
Wall, C. B.
Warburton, H.
Ward, H. G.
Wood, Col. T.
Wrightson, W. B.

TELLERS.

Roebuck, J. A.
Dennistoun, J.

House adjourned, it being past Six o'clock, without any other Question having been put.

HOUSE OF LORDS,

Thursday, February 18, 1847.

Minutes.] Petitions Presented. From Forfarshire, and several other places, against the Use of Sugar in Distilleries, and against the Admission of Rum except upon the payment of a certain Duty.—From Guardians of the Poor of a Union in Suffolk, for Alteration of the Law of Settlement.—From Mayo, and several other places, for the Adoption of such Measures as may insure the People of Ireland such a Supply of Food as will save them from Starvation.—From the Cardigan Union, for Alteration of the Poor Law Amendment Act.—From the County of Monaghan, against Out-door Relief.—From Bodmin, and several other places, for Repeal of the Poor Removal Act.—From Solicitors of the Court of Chancery, for Inquiry respecting Compensation to Officers of said Court.—From Guardians of the Poor of Chester, for Abolition of Office of Poor Law Commissioners.

DESTITUTE PERSONS' (IRELAND) BILL.

Order of the Day for receiving the Report of the Amendment.

The Earl of ELLENBOROUGH said, that he viewed the Bill with great distrust. It assumed that the people of Ireland would be capable of giving money for the food to be supplied. He saw no measure yet passed by Parliament, or known to be in progress, which would effect the object to be attained by the Bill within the limited period for which the measure was to remain in operation. It was to be substituted, as he understood, for what was improperly called the Labour-rate Act. He confessed that he had a feeling almost of despondency with respect to the future in Ireland, from the reports contained in the large blue book upon the Table. That feeling did not arise from the state of the potato crop, but from the picture contained in that large blue book of the intimidation under which the relief committees acted, and the jobbing which prevailed in the administration of the law. He thought the districts in which the provisions of this Bill were to be carried into operation, were infinitely too large. He very much doubted, too, whether the Irish landlords would be disposed to borrow money under the conditions imposed on them; for whatever disposition they might feel to relieve their fellow-subjects, he doubted whether they could recover that increase in their rents which it would be necessary to exact in order to pay the interest of the sums borrowed from Government. He admitted that some of the works under the present system were unnecessary, and that it was difficult to find out those which might be of material service to the country. Yet he was satisfied that, without some such means of employing the poor scattered over the country, the means of purchasing food would not be furnished to the people. The principle of the Labour-rate Act was to give every man food who had the power of giving labour in exchange for it. But how was food to be purchased if no labour was required? It was distinctly avowed, too, that the new Poor-law Act, and the Act authorizing the loans to landlords, were to proceed *pari passu*. So that any new presentments were conditional on the passing of an Act which might not pass for a considerable time, proposing, as it did, to make exchanges as to the present poor law. He thought the only difference between the operation of this and the Labour-rate Act would be that one gave food for labour, and under the other food would be given for nothing. He thought this measure a good one as an auxiliary to other measures; but as it stood it really amounted to nothing more than giving out of the hard earnings of the people of this country food without exacting labour in return.

The MARQUESS of LANSDOWNE said, that as to the former Act, of which the noble Earl spoke with something like reverence, and the proposed substitute for it, he knew not whether the noble Earl was present when he moved the second reading of this Bill; but if he had been, he must have recollected that he had expressed his regret that the present was not accompanied with the other Bills introduced by the Government as to Ireland. He thought, however, they were justified in proposing it, as it was intended by it to give immediate relief. As to the advances to the landlords being made at the same time that the Poor Relief Bill was extended, he had stated at an early period of the Session, and also at the second reading of this Bill, that it was desirable to consider both measures together, as under one of them the landlords (particularly of certain estates) would be enabled to meet the great change proposed in the domestic industry of the country under the other. He entertained a confident hope that the landlords would readily avail themselves of the facilities offered under one of the Acts for applying capital to the cultivation of the land. The noble Earl (Ellenborough) had allowed that there was a great moral principle in the Labour-rate Act; but he was sorry to say that the Government had found that great abuses had been practised under this Act; and that, above all, great intimidation had been used for the employment of parties who ought never to have been engaged. No man could more sensibly feel the injury arising from these abuses than he (the Marquess of Lansdowne), but he must say that great advantages had been obtained under the Act; the efforts of Her Majesty's Government had been very effectual in putting down these abuses, and great progress had been made in different parts of the country in the prevention of intimidation, and he was happy to say that the employment of labour was now being carried on in the most peaceable manner; he could assure the House that Her Majesty's Goverment had great hopes of putting down intimidation altogether. Under all the circumstances, the matter was too important not to secure the vigilant attention of Her Majesty's Government. He proposed to move the third reading of the Bill on Monday.

Amendment reported.

THE CIVIL WAR IN PORTUGAL.

LORD BEAUMONT said, that he now rose to put the question of which he had given notice, respecting the conduct of the Portuguese Government with regard to certain prisoners who had surrendered to the Queen of Portugal's troops after the battle of Torres Vedras. In putting this question, he wished to guard against the inference that he desired to see this country interfering in the domestic concerns of any other country, unless such interference was sanctioned by the obligations of a treaty, or in a case where British interests were very much at stake. But the circumstances which he was going to mention to their Lordships, would, he thought, show that continuing a passive conduct on our part would endanger that strict neutrality which we were desirous of observing, and, instead of simplifying, would greatly increase the difficulties surrounding the question of the affairs of Portugal. It would be in the recollection of their Lordships, that a division of the army opposed to the Queen's army, under the command of Count Bomfim, advanced to Torres Vedras, with the intention, he believed, of marching on Lisbon. The Duke of Saldanha pursued it with his army, and, after a severe battle, which terminated in the success of the forces of the Queen, the remnant of the division of Bomfim retired into the Castle of Torres Vedras. It was summoned to surrender at discretion: this it positively refused to do; but offered to surrender, provided it was allowed the honours of war. To this the Duke of Saldanha agreed, and consequently a stipulation to that effect was drawn up in writing, and signed by the commander of the Queen's troops. On the faith of this stipulation, the remnant of the division in the castle at Torres Vedras surrendered. The officers of the division were then marched to Lisbon, and were subsequently sent on board a frigate in the Tagus, and confined, being allowed scarcely the necessaries of life, and but a scanty portion of clothing. Subsequently, in consequence of an idea that some of these officers intended to escape from the frigate, forty or fifty of them were put on board a small brig of war, and the Portuguese Government came to the resoelution of sending them to Angola, one of the worst settlements on the coast of Africa as regarded health. The way in which these unfortunate wretches were to be conveyed to their destination, would render their condition worse than that of negroes on board a slave ship. They were crammed into the smallest possible space, many of them being severely wounded and in bad health. Thus these officers, who expected to receive all the honours of war, were, without any trial or condemnation, sent out, in the presence of our fleet, to a most unhealthy settlement. He wished to show the ground on which he thought our remaining passive, would amount to an act which might lead to the most dangerous consequences. Though our fleet was at Lisbon for the protection of British interests, yet he believed that the officers commanding it would be considered as only doing their duty, if, had Count Bomfim's division not been defeated, but had been enabled to advance upon Lisbon, they had, in case the Queen of Portugal had been obliged to embark in her own frigate, covered that embarkation, and protected the person of the Queen from any injury under such circumstances. If, then, after having proclaimed that we intended perfect neutrality, the British officers would be justified in so acting, he felt that we were also bound to protest, and to expect our protest to be listened to, when measures were taken by the Queen of Portugal's Government which tended to excite against her the best feelings of the country, and which might consequently result in bringing the Queen to that position in which the British officers would be called on to act. Therefore, with the view of preserving our attitude of perfect neutrality, he thought it was only the duty of the British Government to exert every means, before it was too late, to induce the Portuguese Government to revoke their decree with respect to these prisoners, and to restore them to the situation in which they had expected to be placed as prisoners of war. He accordingly wished to know whether any communication had been made on the part of Her Majesty's Government with respect to these prisoners, and whether any steps had been taken to procure the reversal of that decree, and to restore those persons back to their country.

The MARQUESS of LANSDOWNE: The subject of my noble Friend's question is one of considerable importance, and one to which I am most desirous of giving a satisfactory answer. Before giving that answer, I can only express that regret which I feel, in common with my noble Friend and with the House generally, that the country to which he has alluded should be in a state to give rise to the transactions to which he has so pointedly, and, in my opinion, not improperly, adverted. That a country connected with us by so many ties and historical recollections should be in the state in which Portugal now is, must be a matter of the deepest regret: greatly should we rejoice if any effort on the part of this country, impartially applied, should be made the means of putting an end to that state of things. Your Lordships well know, that in the course of last year an insurrection broke out in that country, which has gradually and most decidedly assumed the character of a civil war. In the course of any such a war your Lordships need not be told that transactions will perpetually occur, from the excitement which prevails, from the heated state of parties, and from the opposition, not only of particular factions, but of particular families, which are deeply to be lamented, and which induce men to infringe those rules which civilized nations have provided shall be observed in contests between one another. It is unquestionably true, that in the course of this civil warfare in Portugal, a body of persons, having been taken with arms in their hands, were made prisoners; and after being made prisoners upon the condition that they would be treated with all the honours of war, a great number of them, I believe, comprising all the principal officers, to the number of forty, were placed on board a small brig, in the Bay of Lisbon, and ordered to be transported to the coast of Africa. I believe that many of them who were so ordered to be transported were severely wounded and sick, and not in a condition to undergo that transportation. A representation to that effect was made both by the captain and surgeon of the brig; but the only consequence was, that the representation had given great offence to the Government. This happened in the interval between the departure of Lord Howard de Walden and the arrival of Sir George Seymour; but I am enabled to state to my noble Friend, that from the moment these circumstances became known, great interest was excited in the mind of Her Majesty's Chargé d'Affaires at Lisbon, and he addressed a representation to the Queen's Government on the subject. The Belgian Minister and the French Minister, acting separately for themselves, made representations to the same effect. I hope that, even now, these representations may not be too late. I hope, from that inclination to mercy and forbearance which I am most anxious to believe exists in the Portuguese Government, that they will have been attended to, and that this transportation will have been prevented, and that these prisoners will not, at any rate, be sent to a part fatal to their health: such a punishment is totally inapplicable to such a class of persons, taken in open warfare. I know that, at all events, a great hope is entertained that their destination has already been changed. My Lords, I must state, in justice to the Sovereign of that country, that I am informed that in no one instance, since these troubles began, has one capital punishment been inflicted. From that favourable disposition I argue that this sentence has been reversed; and I can assure your Lordships that it will be the greatest satisfaction to Her Majesty's Government if we find it to be so. It is true, as the noble Lord has observed, that Her Majesty's Government sent a considerable force to the coast of Portugal; but it was not to interfere in the contest. The object of Her Majesty's fleet at Lisbon and Oporto is, in the first instance, to give effectual protection to British interests; and when that object has been answered, it will be a source of great satisfaction to the Government and people of this country, if that fleet shall be enabled to give refuge and protection to persons in danger of their lives; and, as the noble Lord has intimated, it would, above all, be the duty of the officers of the fleet to afford that protection and assistance, in the event of the person of the Queen of Portugal being actually in danger. It is at these points that their duty begins and ends. Beyond this, all that the officers of the British Government can do, is to offer friendly counsel and advice. That counsel and advice has been offered in the spirit of friendship on the present occasion, and I shall be glad if it proves acceptable. As long as the contest lasts, with its character as a civil war, it cannot be the inclination of the British Government actively to interfere, nor would there be under any existing treaty a justification for so doing; but, should circumstances assume a different character by the presence of Don Miguel in that country, or of a party acting for the avowed purpose of placing him on the throne, a new state of things may arise, in which it will be a question to be considered how far such a case would revive existing treaties, and compel the British Government to a recurrence to the former policy on which those treaties are founded, and in consequence of which the most successful and beneficial co-operation has formerly taken place. That case has not now arisen; the present contest has all the character of a civil war, and in that the British Government are not prepared to interfere further than for the protection of the interests and lives of British subjects, and, in case of necessity, for the protection of the person of the Queen of Portugal; and, I will add, for the protection of the lives of any persons who, in the extremity of war, may be compelled to take refuge under our flag.

The EARL of ABERDEEN said, that it must be the desire of every person to mitigate as much as possible the calamities of war, wherever the sufferings of individuals were concerned, especially the horrors of civil war. It was, therefore, necessary and praiseworthy that all means of persuasion should be used, to induce a humane and merciful course of conduct on the part of those engaged in such conflicts; but, if the noble Marquess meant to say, that with regard to the Portuguese Government, not merely private and personal solicitation, persuasion, and influence, would be used, but that, in respect to a contest like that at present going on in Portugal, the Government should also make official representations, interfering with the course which the Portuguese Government might think necessary for its own safety to pursue, he thought that to be a precedent exceedingly dangerous, and a principle liable to great objection. It might be stated, to the credit of the Portuguese people, that in the various convulsions which had taken place of late years among them there had been very little cruelty exercised—that there was very little appearance of a sanguinary disposition in any party; thus furnishing an estimable contrast to a neighbouring people of the Peninsula, where acts of vengeance and bloodshed were committed by all parties. There was another reason why the British Government should be particularly cautious at present with respect to any interference with Portugal. He knew not for what reason it was, but the belief was strong in Portugal, that the cause of the insurrection possessed the good wishes of the British Government. He could not believe this to be the case, and he knew not on what the belief was founded, but that the belief was general was indisputable; it was, therefore, incumbent on the British Government to be cautious in respect to any step which might tend to confirm such an opinion. What was the precise object of the course that had been adopted, he was at a loss to understand. Undoubtedly the protection of the interests of British subjects in the state of confusion that prevailed, was a legitimate reason for having a naval force in the Tagus, and that force might also be necessary to secure the personal safety of the Queen of Portugal; but the squadron we now had in the Tagus was not only able to perform such a service as this, but to overawe the whole kingdom of Portugal. He did not know what the particular motive for the continuance of this overwhelming force in the Tagus might be; but he thought it must be evident that the presence of that force might very possibly confirm and strengthen the opinion he had referred to, as being entertained by many persons in Portugal. Some years ago the Government of this country took a very active part—perhaps more active than they were justified in doing—in establishing the present Queen upon the throne of Portugal; and, as relations of the closest friendship and intimacy subsisted between the Government of that country and of our own, he thought we should be justified, without any breach of neutrality, in affording all the moral support in our power to a Sovereign whose throne we had so far contributed to establish. He considered that, at all events, a course should be taken that would prevent its being supposed that the British Government were inclined to foster or approve of the insurrection, and would show that they disapproved of that movement, one object of which was the overthrow of the monarchy in Portugal, and the establishment of a republic; and of the other, the restoration of the despotic Government of Don Miguel. He (the Earl of Aberdeen) conceived that neither of those objects could be altogether indifferent to us; and that, therefore, without deviating from our neutrality, care should be taken that the opinion of Her Majesty's Government might be known without any mistake in Portugal, and that the British fleet, whose presence in the Tagus was now so equivocal, was there for the purpose of giving countenance and support to the Government which it had contributed so much to establish.

The MARQUESS of LANSDOWNE: After what has fallen from the noble Earl, I trust the House will permit me to say a very few words, so that there may be no possible misapprehension on this subject. I thought that I had said most distinctly that it was the anxious wish of this Government that Her Majesty should be maintained on the throne; but, nevertheless, to maintain the strictest neutrality with reference to the political movement in Portugal. I know of no act done by the British Government calculated to produce a contrary impression. I defy any person to produce any evidence of such an act having been committed. The noble Earl must be aware that during a civil war, great dissatisfaction would be entertained by either party engaged in it, if they thought, from any accidental circumstances, that a greater leaning was shown by a neutral Government to one side than the other. Undoubtedly false conjectures and false rumours of this kind have prevailed in Portugal. It has not, however, been alone stated that the Government of this country are disinclined to favour the Queen of Portugal and Her Ministry; but it has been complained, in Oporto, that the British Government were interfering on behalf of the Queen in a way that would be injurious to those exertions which, as it was stated, were being made, not to establish a republic, or to place Don Miguel on the throne, but in the cause of the constitution. Whether that is so or not, it is not for me to say. I do not wish to pronounce any opinion upon the dissensions that prevail in that country; but this I am bound to state, that there has been no instruction given to the Admiral, to the Minister, or to the Special Envoy sent to that country, that has not had for its object the preservation of a perfect impartiality; and that in any advice which may have been respectfully tendered to the Government of Portugal, under virtue of any instruction on the part of Her Majesty's Government, the object has been fully conformable to those instructions, namely, to tender friendly counsel with a view to the interest of the Queen's cause, and with no design whatever to give the slightest countenance, directly or indirectly, to the insurrection. It has unquestionably been thought expedient that in circumstances such as these, during the crisis that at present impends over Portugal, the interests of England should be protected, not by a small squadron only, but by a squadron superior to that which any other Power was likely to send; but the commander who has been sent there the noble Earl well knows to be not only one of the ablest and most gallant of officers in Her Majesty's Navy, but a person remarkable for the care, the discretion, and the judgment with which, in all parts of the globe, he has uniformly administered the most important affairs; and I cannot bring myself to the belief that that gallant Admiral, instructed as he has been to exercise the greatest impartiality in these matters, has in any degree deviated from that instruction, or that anything has been done by him or others which is in the slightest degree calculated to militate against that which I have stated before, and which I state again, to be the anxious wish of Her Majesty's Government—that of non-interference in the civil difficulties in that country. I trust that those difficulties will be brought to a speedy termination; and it is the hope of the Government that that termination will be such as to make Her Majesty more secure on her constitutional throne.

The Earl of ELLENBOROUGH confessed that he could not perceive any very constitutional spirit exhibited in the conduct of Her Majesty's Government in Portugal, which had led to this civil war; and perhaps, as he had been recently dismissed from office, he might feel very strong upon the subject. The Queen had imprisoned her outgoing Ministers until she had formed a new Administration. He must say, he was sorry to observe that by all these new constitutional Governments greater violations of constitutional principles and of personal liberty were committed, than under the harshest despotisms that ever existed. He had only one word to say on this subject. All representations were a mere farce, if it was not thoroughly understood that there was a measure behind them which was to be adopted if those representations were not attended to. If it were to be understood that the English Government merely desired, as a matter of favour to themselves, or as a matter of credit to the Government of Portugal, that the unfortunate gentlemen who had been referred to should not suffer death under torture on the coast of Africa, their Lordships could well understand that such representations would not be attended to. But if it had been distinctly understood that in the event of the representations of our Minister, whether private or official, not being acted upon, Sir W. Parker was ordered to leave the Tagus, he had not the slightest doubt that every representation made by the British Minister would at once have received attention. So far from thinking that the presence of the English squadron in the Tagus could be regarded as indicating any leaning on the part of our Government towards the insurgents, he believed that but for the presence of that squadron, the Queen of Portugal would have met Don Miguel in London. It was by that squadron that the Queen was now kept upon the throne; and if it was withdrawn, the conquering army would march at once from Oporto to Lisbon.

Lord BROUGHAM did not agree entirely with any of the noble Lords who had taken part in this conversation, which was most irregular. He concurred, however, with his noble Friend who had just sat down, that if ever there was a *non sequitur*, it was this—that any one would conclude, from the presence of the British squadron in the Tagus to protect the Queen, that we were favouring the insurrection. He was very glad that the conversation which had taken place on this subject had elicited the statement of his noble Friend (the Marquess of Lansdowne).

Subject at an end.

ADMINISTRATION OF THE CRIMINAL LAW—JUVENILE OFFENDERS.

Lord BROUGHAM rose, for the purpose of presenting a petition to their Lordships; and though it was rather unusual to give notice of an intention to present a petition, yet considering the persons who claimed the attention of the House, and the very important subject of their petition, he had deemed it his duty to take the unusual course of giving notice of his intention to present it. He considered himself to be highly honoured by having been made the medium of presenting this important petition to the House. The petition was signed by the Mayor of Liverpool, by Mr. Rushton, the officiating magistrate of Liverpool, and by nineteen other magistrates of that important borough; and he should best discharge his duty to those petitioners by bringing before their Lordships the substance of the petition, though not in terms, he was afraid, equally choice and distinct with those which were used in that very long, very able, and elaborate document. He had taken the pains to make himself acquainted with the subject-matter which he intended bringing under their Lordships' consideration by reading the different documents that had been published thereon, and which did not appear in the petition—he meant the reports of the prison inspectors in this country, the reports of the various persons connected with private associations of a philanthropic, benevolent, and useful nature, who had attended to the same very important subject of the execution of the criminal law in this country, as well as other documents which had been published in France, in Holland, and Germany, which showed the result of some most important experiments which had been tried in those countries for the reformation of offenders. From those different sources to which he had referred, and also from one which he should afterwards refer to generally, a very important work, the report upon the Criminal Law by his learned friend, Mr. Hill, the Recorder of Birmingham, whose experience in criminal judgments had been very extensive, and who had devoted his attention for years to this subject, presented to "The Society for the Amendment of the Law," and also from another report upon Criminal Law generally, which was to be found in the tenth number of *The Law Review*—he meant the report which had been drawn up by his learned friend, Mr. Pitt Taylor—he thought that he should be able to show their Lordships the necessity of a great change on the subject. He would not trouble their Lordships with reading to them extracts from the different sources of information of which he had availed himself; but he was about to embody the result of his inquiries, and give them the substance of the matter; and he was convinced that before he had proceeded far in his statement, their Lordships would admit that it was impossible to overrate the high importance of the subject to which this petition referred. The subject which he intended to bring under the consideration of their Lordships was neither more nor less than the structure of the criminal law of this country; the administration of that criminal law in practice; the execution of that criminal law upon the unhappy persons who, first being the victims of their own crimes and misconduct, afterwards became the victims of the law itself, when they were punished to deter others from following their bad example. He did not mean to discuss the subject at length, or elaborately, or with any sort of intention of exhausting it; he was merely going to call their Lordships' attention to the heads of this question, which formed the subject-matter of the Liverpool petition. Those Liverpool magistrates spoke as practical men; they spoke as men who lived in a community of 300,000 persons who were their fellow-citizens; and over whom they were placed as magistrates appointed to keep the Queen's peace, and to administer the Queen's law; these magistrates were the persons who came before their Lordships as the fountain of law, as the administrators of that law in the last resort, as the highest tribunal in this country, to which tribunal they naturally and legitimately looked—to such tribunal did these inferior but most respectable and experienced magistrates resort to unbosom their thoughts, to prefer their complaints, to warn them as to what would be the consequences of any longer neglecting this great subject; and it was to such things he was about to call their Lordships' attention. Some of their Lordships might, peradventure, not feel inclined to credit their statements; but if the state of things of which they complained was allowed to continue any longer, the consequences could hardly be foreseen, or if foreseen could scarcely be prevented. The results of the experience of these Liverpool magistrates, then, were these—that in this population of 300,000 persons, there had been committed for trial during the last seven years, in round numbers, 51,000 persons, and that of those persons no less than one-tenth, or more than 5,500, were offenders under seventeen years of age; that of the whole number of offenders, no less than 10,000—who were for the most part juvenile offenders—had been committed, during six years, five times each upon an average; and from this it appeared that the immediate and inevitable result of having punished those offenders once, was that, upon the average, they had been four times afterwards guilty, and four times punished—so powerful, so effectual, so undeniably efficacious, had been the punishments which the law had inflicted. These magistrates went further; they had made an investigation which he thought had been of incalculable value, and for which he hoped he might be permitted to tender their Lordships' thanks to those magistrates. They had examined fourteen cases, taken perfectly indiscriminately out of the 10,000 juvenile offenders to whom he had referred. He wished particularly to direct their Lordships' attention to this class of offenders, because what he was about to urge their Lordships was, to adopt the plan of reformatory discipline to which he had alluded the other night, when he took leave to address the House on the subject of education: he wished again to impress upon their Lordships the fact, that where criminals had attained a certain age, and had become habituated to crime and hardened to wickedness, reformatory discipline ceased to present such a prospect of effectual amendment. He, therefore, naturally looked to the younger classes of offenders, as the persons to whom this discipline could be applied with the greatest probability of success; and it was on that ground that he would beg their Lordships' attention to the experiments and statements of the magistrates in question. With regard to these 10,000 juvenile criminals, then, the Liverpool magistrates had adopted what appeared to him a very judicious plan—they did not select, but took at random from that number, fourteen boys, the circumstances of whose cases they minutely investigated. He had the result of that careful investigation in the petition before him, and he would give their Lordships one or two samples from it without going through the whole of it. In the first place, it appeared that each of the fourteen juvenile offenders had upon an average been apprehended fifteen times for crimes; that they had frequently been discharged without having been committed for trial; but that upon an average they had been committed for trial nine times, and generally as often convicted. He wished it to be clearly understood, that the number of 51,000 did not refer to persons or offences, but to actual convictions. Now, he would single out three instances from these fourteen to show the course of crime, the shape it took, and the consequences of committing a series of offences. The first case that he would take was that of a boy twelve years of age, who could neither read nor write; he was first committed in September, 1838, and last in January, 1842; he was apprehended altogether sixteen times—and all that happened in the course of three years and two months—he was altogether committed for trial, and took his trial, nine times, and his sentences were various terms of imprisonment in gaol; and the excellent effect of that prison discipline appeared to be, that, having been once committed and imprisoned, he had been convicted eight times more within less than three years and a half, and that while still under twelve years of age, he had received another sentence, which was that of transportation for ten years to a penal colony. The next case he should single out was that of a boy ten years of age, who had been apprehended fourteen times, tried and convicted eleven times, and suffered various periods of imprisonment for different offences, in order to prevent him from committing similar acts in future; the consequences of which attempts at prevention were, that he had been arrested ten times, convicted, and, after the last conviction, sentenced to seven years transportation. The last case to which he would call their attention was that of a boy nine years of age, who could neither read nor write, who in the course of two years was apprehended sixteen times for felonies of different kinds, and convicted four times; and that boy, who when first convicted was only seven years of age, was now convicted and sentenced to transportation for seven years. He (Lord Brougham) had long been engaged more or less in the study of the administration of the criminal law of this country; but he was bound now to open his ears to the voice of wisdom speaking to him—he was bound not to shut his eyes to such a fearful state of things, and to the utter, absolute, and as he should show them, necessary inefficacy of the present system of law to repress crimes, or to cure the offenders. Now, these magistrates called their Lordships' attention to the expenses of these attempts to repress crime in the borough of Liverpool. The petitioners stated that 889*l.* had been expended in dealing with the cases to which he had referred, or rather he meant the 120 prosecutions of those fourteen juvenile offenders; and they stated that no doubt any other prosecutor would have spent half as much more, for Liverpool happened to have availed itself, in common with many other large towns, of that admirable arrangement of entrusting all its criminal prosecutions to a public prosecutor. That practice had also been adopted in Scotland, and a better plan had never been thought of. Ever since his attention had been turned to these matters, he had seen the necessity of such an officer; and when he was last in office, in 1834, he had almost succeeded in carrying a Bill to compel the appointment of a public prosecutor in all large towns. By means of having such an officer, the expense of prosecution was little more than half what it was under the old system. But even under the present improved system, the expense of prosecuting these fourteen juvenile offenders, whom they chose to call "incorrigible offenders," amounted to within a trifle of 900*l*. Now, said the magistrates (and he said with them, and for them, as well as for himself), after having the experience which he and they had had in Liverpool and elsewhere, was it not time to begin to reconsider the matter, and to ask themselves, "Have we not been all along pursuing a wrong path as to the punishment of offenders—have we not by our laws driven them to commit the crimes for which we punished them, with the view of preventing their recommission?" But, above all, when they took the young boys of nine or ten or twelve years of age (for one unhappy boy who had been sentenced to seven years transportation was only nine years old, and only seven when he was first convicted), he would ask them whether they were dealing rightly with them under the present system? Were they taking the human being according to his knowledge, his vicious nature, his capacities, his failings, his judgment, his reason, as well as his passions? Were they dealing soundly, and judiciously, and usefully, and profitably with him in persisting to appeal only to his fears; and never—never once looking to his wishes or to his hopes? But he was only at present addressing their Lordships on the generalities of the question; and he would come at once to the details and remedies set forth in the petition of the Liverpool magistrates, because it was useless to complain of a system unless they were prepared to substitute a remedy for the evil. He did not intend to take their Lordships unawares on this question; he wished them to inquire and to excite their attention to these matters, for it was their highest duty to do so—it was one which they ought no longer to neglect, for if they did defer executing that duty properly and at once, they could not do so with impunity. Their Lordships, then, should see that it was their interest to inquire into this matter, and see whether a remedy could not be found. The experiment had been tried, and after a word as to the ground on which it proceeded, he would state to their Lordships the nature of the shape which it had taken in its operation and result. When they took a supposed criminal and cast him into prison, and tried, convicted, and sentenced him, they punished him either by one or two years imprisonment or by transportation, capital punishment being now almost universally abolished—he had had much experience with respect to capital punishment, and he knew that he differed with the petitioners and many others upon that subject—however, capital punishment had been altered, except as regarded one or two peculiar acts, to transportation or imprisonment. He was no friend to transportation; he saw many objections to it; it was anything rather than an economical or justifiable proceeding—it caused a very large amount of evil, and very serious mischief in cases where convicts were sent to a strictly penal colony. His principal objection against it was that it did not terrify; it did not appal; it did not appear to the eyes of a person who was about to commit an offence against the law half as terrible as if he knew that his sentence would be imprisonment even for a few weeks in this country. That was proved by the reports which he had lying before him from those magistrates of Liverpool and other magistrates, the reports of gaolers, and particularly the report of a most able person, the governor of the excellent prison at Glasgow, which he had read with the greatest interest. All these joined with one voice in stating it to be their decided opinion, after great practical experience, that imprisonment had far more terrors than transportation. Mr. Miller said that he had found that criminals would far rather be sent abroad to a penal settlement for ten years, than imprisoned for ten weeks in their own country. Then, what was the expense of transportation? Not less than half a million sterling. What would be the cost of keeping those same persons in confinement in this country for two years?—300,000*l*. If the punishment of transportation did not deter men more, but less, than imprisonment—if it were the more expensive of the two, then it was wrong in every point of view—in its greater cost, in its effects upon the penal settlement, and in not deterring from the commission of crime—and it was less advisable as a punishment than imprisonment. But he now came to what was a most important portion of the magistrates' petition. It appeared that the united results of themselves, the various authorities abroad, in Germany, France, &c., to which he had before referred, and here also, of our country, in Warwickshire, of judges, of magistrates, in speculative writers, of Secretaries of State who had presided over the police of this country, all unanimously declared that punishment had no effect in deterring any but a very small portion of mankind from committing offences against the law. The fact was, that when men were about to commit a crime, they were not in that calm, reflecting, estimating frame of mind which such an argument would suppose; but they were inflamed by passion, and that passion closed their eyes to the danger and the risk they were about to run—they were sanguine as to the vast (as it would appear to them) chances of escape, and therefore it was that little or no effect was produced by the apprehension of punishment, which was administered for the purpose of deterring. What then remained? If they did punish men, they should at all events take care that those whom they did punish were not made worse by that punishment, than when they found them. That was the bounden duty of the Government towards those subjects who committed crime; because to say that a man forfeited his claims to the attention of a Government because he had been a criminal, was monstrous. And yet they did in effect say so. To say nothing of the number whom they transported, there were 96,000 whom they annually imprisoned, and after their sentences had expired they turned them out upon the world. But had imprisonment made them better? Had imprisonment kept them from being any worse than they were before? Had not imprisonment necessarily, in ninety-nine cases out of every hundred, loosened them in point of morals? If he wanted to prove that they had, he should refer them to those fourteen juvenile offenders taken at random out of 51,000 criminals by the magistrates at Liverpool, every one of whom had committed repeated offences; and youths of nine, ten, eleven, and twelve, the magistrates showed, had been arrested, some of them twenty-two, and convicted nineteen times. The great design of imprisonment should be not only to deter as to the future, but to produce, if at all possible, some moral effects. The greatest evil, however, which the poor convict had to contend with was, that after the termination of his sentence, when the term of his confinement expired, he did not know, when again thrown on the world, where to bestow himself. He went forth with his character marred—he went forth to encounter the indifference of his family connexions—he went out disgraced and degraded in his own eyes, and probably that was the very worst feature in his whole case, as it might prevent any exertion to restore himself to that self-respect which he once possessed, and perhaps well maintained; for when a man did possess self-respect in his own eyes it was calculated to infuse that energy which would ultimately put an end to the self-debasement and degradation which his crimes had thrown over and around him. The poor criminal went out debased in his own eyes, disgraced in the eyes of the community, and deserted by friends and relations, who looked upon his conduct as having inflicted on them a stain and a disgrace. As to the means of future subsistence, see how the criminal was placed. What master would employ him? Who would take him into his family? The stigma rested upon him, and there he stood an outcast from man. Look at the gaols, as well as at the convicts—and would it not be a wonder and astonishment if they ever produced a small quantity of good on the mind or on the habits of the criminal? and if the discipline did produce any good on its inmates, they were but too likely to relapse when permitted again to go forth to the world. Such was, in his opinion, the consequence of short imprisonment. Mr. Hill had given it as the result of his observation and experience, in his admirable report to the Law Amendment Society; and Mr. Pitt Taylor fully agreed with him in his report to the same society, that short periods of imprisonment were both futile and impolitic; and for this reason, which was as obvious a one as could be suggested, that such persons were sure to relapse again into their bad habits, from the impression that by their conduct they were cut off, if not for ever, yet for a long time, from their former friends and connexions. But if means had been adopted to improve the criminal—to improve his morals and character—to teach him to subdue his bad passions—to bring down his guilty feelings—to make him a conscientious, reasonable, and well-thinking person—and, above all things, to impress on him that he was for a long time to be cut off from his former associates—such a proceeding could not be without a beneficial effect. But if the criminal knew that after the expiration of six weeks, or of two or three months, that he was to be confined only for sixty or ninety days, when he should go forth to exercise his liberty of action—when he looked on confinement as being for a short period—he never would think of his own reformation. He was too apt to say, "It's only for a short time; every day diminishes the number; they will soon pass away, and then all will be well again." Short periods of confinement made the criminal harder instead of better—that was the opinion of Mr. Hill. The question, then, was, how could they make imprisonment reformatory, instead of being, as it was at present, injurious to the character of the inmates? Next, what means should be adopted to prevent the criminal, at the end of his sentence, from falling into his former evil courses? Fortunately, they were not without experience on these points. It was most honourable to the character of the Germans, that they had had, for the last ten or twelve years, an admirable institution, near Hamburgh, for the reformation of criminals; and, what was most honourable to Frenchmen, who were not influenced by that false or misplaced pride which would prevent them from following a foreign example, they had established a similar institution in Mettray, the results of which experiment were as satisfactory as could be expected. Having, however, very great national pride as an Englishman, he (Lord Brougham) believed that neither of those institutions were the first of their kind, as an excellent establishment of a similar character had existed at Dunsmore, in Warwickshire for more than twenty-eight years. Warwickshire had the distinguished honour of setting the example of acting on a sound and humane principle, the reformation of poor criminals. To show the effects of those experiments, he would take the French institution, as affording more details. The one at Mettray was first established in 1839, and since that period 521 boys had been admitted. The mode of proceeding was, they must be all male convicts, under sixteen years of age: they were not kept in actual confinement; for the fear of imprisonment was always held over their heads, as, if they behaved ill, they were again sent back to prison. The whole were distributed into families, each consisting of a master, two assistants, and forty convicts; the master was one of the officers of the establishment; the two assistants, who were called brethren, were convicts themselves, and were chosen by the rest, and no instance had ever been known in which an unworthy choice had been made. They were all taught some useful branch of industry; the majority of them were instructed in agriculture and gardening; their recreation consisted of military exercise and gymnastics; and they were periodically addressed on the subjects of practical religion and morality; they all regularly attended public worship; their food and clothing were of a plain description; they slept in dormitories, and were under the constant superintendence of the master and the two assistants. What was the result of all this? 521 male convicts had been received into that institution since its establishment in 1839; of those seventeen died; and twelve only were sent back to prison. What a fearful contrast did that present with the case of juvenile offenders in Liverpool—twelve only were sent back to prison, 144 were placed out in various situations, and the remainder were still in the establishment. He would call forth the 144 to elicit some facts. Of the 144, seven relapsed, nine were of doubtful character, but the remaining 128—a large proportion of the 144—conducted themselves to the full satisfaction of their employers and of the managers of the institution. What said the magistrates of Liverpool? Of the fourteen cases he had referred to, there was not one who had not committed seven different offences since his first committal. The French Government had liberally, even munificently, supported the Mettray institution by grants of money; it was also aided by private benevolence; it had also, to a certain degree, support from the work and labour of the convicts themselves—a rule which never should be lost sight of. Besides the one at Mettray, there had been twelve others of a similar character established in France, which were founded in consequence of the great success that attended the original institution. He owned, that, if he were animated with feelings of rivalry towards France—if he were animated by those national feelings of rivalry which pervaded the bosoms of Englishmen—those national feelings would lead him more to envy the French people for the erection and usefulness of such institutions, than from any glory they might have derived from their

Algerian colonies, from their Spanish marriages, or even for all that redounded to the glory of Napoleon. He envied them for what they had, and which this country wanted — those noble and useful institutions. He hoped and prayed that ere long there would be an end to those trifling and personal differences which had their origin in mere trumpery objects, and that they might give themselves up to the promotion of objects of greater interest and importance. He did not care who was in the right, whether M. Guizot or his noble Friend. He wished they were both in the right, or, if possible, that they were both in the wrong; he cared not which, but he wished to see an end to those differences. He was heartily sick of them; and his hope was that the peace of this country, and of Europe, and of the world, would not be allowed to hang in suspense on any such trumpery matters. Let us rather rival their noble and generous nature by imitating them in the erection of twelve establishments similar to Mettray, and thus taking the first step towards the amendment of our criminal law, which would be the first real attempt that had ever been made since we had a criminal law. He would not then enter largely on those matters, except by referring to one or two facts as additional evidence of the necessity of some amelioration of the system pursued in this country. A most excellent clergyman, the Rev. John Clay, the chaplain of the Preston prison, examined the cases of 1,050 prisoners. Just observe the state in which all of them were—562 of the number were utterly unable to write, 226 were unable to read; so that 788 of the 1,050 were in a state of utter ignorance. Only see the effect of this ignorance; 514, nearly the one half, did not know the names of the months—527 did not know the Queen's name—although now nearly ten years the reigning Monarch of the Empire—290 were utterly incapable to understand the words "virtue," "vice," "guilt," "sin," yet they knew what was the import of the words "thieving," "picking pockets;" but when the clergyman spoke to them of "virtue" and "vice," he spoke in an unknown tongue—62 of them could not count 100; 242 could read and write a little; of the whole 1,050 only 20, or two per cent, could be said to have had any education. While he was, as was well known, the warm friend of education, there was no inconsistency in his saying, that unless education had a moral and religious direction, it was with him a matter of doubt whether to be able merely to read was not productive of more harm than good. It gave but the power to read those detestable and demoralising productions which teemed from the press to promote the detestable, the sordid objects of writers and publishers. Those who had the mere power to read, perused only the narratives of banditti, of swindlers, of thieves; they filled their minds with that species of information which only polluted, and which proceeded from the polluted press of this country—and not only from the press of this country, but also from the press of Paris. It was to him a matter of astonishment and disgust that that enlightened capital should issue publications which, while in many instances they were of an order suited to the superior forms of life, yet had within them poison, secretly and ingeniously elaborated. But to return. It appeared that the proportion of persons who were convicted in North Lancashire, which was an agricultural district, was as 1 to 1,100, and the proportion in South Lancashire as 1 to 500; and that was a necessary consequence between those who lived in agricultural districts and those who lived in manufacturing districts, between living in the country and living in towns. When they considered the immense extent of the manufacturing districts at present, they could not now go on with the same system of legislation they did formerly; they could not proceed in the same course of punishment, with a view to reform offenders, that was pursued in former times. Since the days of the inventions of Arkwright, the importation of cotton had increased from 5,000,000 lbs. to 333,000,000 lbs.; the cotton factories also professed having increased eighty-two fold. Instead, therefore, of having only a few thousand operatives employed, there were now 800,000; some said 1,500,000. There were at present 300,000 hand-loom weavers. Why did he recite those facts? For this reason, that machinery was constantly invading manual power; there was a perpetual struggle going on between both. God forbid that he should object to machinery, because the more machinery carried the day, the more men would get employment, and that in the end would be an advantage to the factories and to the workmen. Ay, but not immediately; there would be an interval. When the power-looms threw 100,000 hand-loom weavers out of work, and when a single boy or girl could do four times as much as the strongest man by the power-loom, there was of necessity an interval, until the effects were allowed time to subside, and there was now going on the same struggle between those two powers, the power of machinery and that of manual power. What was the consequence of that struggle before? Those who were thrown out of employment were prone to get into bad practices, for it was a grievous consideration that those who were employed in factories, at the rate of 25*s.* or 30*s.* a week, made no provision for the "bad day;" and the consequence was, when thrown out of employment, they fell into bad habits. But such conduct on their parts, so far from being an apology for their Lordships to dispense with their duty, was a reason why it should be sedulously and diligently performed; and therefore he asked that the criminal law should be so modified as to make it subservient to the reformation of criminals. That object would be best accomplished by deterring from guilt; but where guilt was found, they ought not only to reform the offender, but to make such provision that the criminal who sinned once should have afforded to him some means of avoiding its repetition. It was with that view he brought that most important subject before their Lordships. If, therefore, their Lordships agreed with him—if they agreed in the sentiments put forth by the petitioners—if they thought the time was come when they ought to apply themselves to the amendment of the administration of the criminal law, and particularly that law as it regarded prison discipline and the reformation of prisoners—particularly as to the mode that should be adopted in dealing with offenders—then their Lordships would be prepared for the proposition he was about to submit, which was, that they would comply with the prayer of those excellent and worthy petitioners, the wealthy and enlightened magistrates of Liverpool, by the appointment of a Committee to take into consideration that most important subject the amendment of the criminal law.

The DUKE of RICHMOND was most anxious to express his concurrence in what had fallen from his noble and learned Friend—that the thanks of that House and of the country were due to those magistrates who had brought under their consideration the information which was embodied in their petition. And he also felt it his duty to thank his noble and learned Friend for his able and perspicuous statement. There was nothing which so much demanded the serious consideration of that House as the continual increase of juvenile crimes. While strict prison discipline was necessary, and while it might have done good, yet some effectual measures were required to check this alarming increase of crime. A child of the age of nine years, who had no education, was sent out by its unnatural parent to commit offences. The child was taken in the fact, it was sent into prison—there it was allowed to remain for three or six weeks, or perhaps for two months, before it was brought to trial, subjected to all the influence of evil example; then the form of impannelling a jury was gone through; twelve men were appointed to investigate the case of a child—who was charged with a petty theft, perhaps not amounting in value to one penny. Thus was stamped on the brow of that infant the word "felon," and from that moment he only progressed in infamy. The matter demanded inquiry. They were told that the experiment at Mettray, in which there were located 500 persons, had succeeded; but they had no information whether those criminals were received as they came to the institution, or whether a selection for admission had been made from among the offenders. But whatever was the course that might have been taken, the results as stated by his noble and learned Friend, were gratifying. He was most anxious for inquiry; but there was another thing which it was necessary to do. You must try and convince the people of this country that it was possible for prisoners to be thoroughly reformed: unfortunately, the general feeling of this country was, that when a man was once convicted he could not get employment. He knew a remarkable instance of this. A man had committed some offence, for which he was sentenced to be transported, but he was committed to Pentonville prison; he there showed symptoms of reformation, and his conduct was so good that the Secretary of State was induced to grant him a pardon. Some one afterwards recommended him to a railway company—he would not name the company—from whom he obtained an appointment as porter. His conduct was so good, that at the end of six months he was promoted, and had his wages increased. A month after, an ill-natured busybody told the directors of the company that this man had been convicted of felony; the consequence was he was dismissed. It was, therefore, necessary, not only to reform criminals, but to show the public that they could be reformed, and that they were reformed; that they might have the opportunity to earn for themselves an honest livelihood. It would not do, however, to take a boy of, say twelve years of age, suppose from the Parkhurst prison, to the institution you might establish, and when reformed to put him in a better position than the boy who had never offended. By such a proceeding they might only get themselves into a worse scrape. The noble and learned Lord stated that the idea of transportation had not any great effect on the minds of criminals. He was not the advocate of transportation; but from what came to his own knowledge, offenders had a great dislike to leave the country: they dreaded transportation more than any other punishment. Offenders when sentenced to transportation often fell into fits, from which they did not recover until the next morning; they did not like to be sent out of the land of their birth; the reciprocal affection of the father and the condemned son, and of the wife and the condemned husband, was as strong in those criminals as it was in those who never offended against any law. He had seen many offenders sentenced to transportation bitterly weep on the mention of the names of their wives and children, at the idea of perpetual separation. The effect produced was great indeed. He should be glad if his noble and learned Friend carried out this inquiry—it was of enormous importance that existing evils should be remedied. He had so strong a feeling on the subject, that he presented many petitions in the course of the last year, praying that some means might be devised to promote the reformation of criminals after they were discharged from prison. He hoped his noble and learned Friend would not confine the inquiry to one subject, but that he would embrace all that was necessary to secure all the important objects contemplated. He did not like that part of the plan of the Mettray establishment which allowed 400 or 500 individuals to sleep in dormitories. He would prefer separate rooms, as it was of importance to make those arrangements which would prevent prisoners from getting worse. He would apologize for trespassing; but he could not allow the opportunity to pass without pressing the subject on their Lordships' attention.

EARL GREY said, the subject was one of the very deepest interest, and he had the satisfaction of stating, that a few days ago he had presented papers which he trusted would be delivered to-morrow or next day, and which would show that it was one that had not escaped the most anxious consideration of Her Majesty's Government. It would be found that many of the views which had been stated by his noble and learned Friend, were the same as those on which the Government proposed to act. The necessity of a reform of the existing system with respect to the class of offenders referred to, was so clear, that he apprehended there could not be a difference of opinion on that point; and he was enabled to state that a Bill would almost immediately be brought in in the other House giving the necessary legislative power for the reforms wanted.

LORD BROUGHAM inquired why the Bill should not be introduced in that House?

EARL GREY said, there was no reason, except that the subject came within the department of his right hon. Friend in the other House, and that, therefore, it was more likely to be introduced there. With regard to the system for the reformation of juvenile offenders in practice abroad, and which his noble Friend had so eulogized, he would observe that the state of the law was such as to impede its adoption here. Here, a boy's being withdrawn from prison to be put into one of those reformatory institutions, implied his being pardoned; and, as if he were discharged for ill conduct, he could not be sent back to prison, a premium on misconduct was offered him. The reverse was the case in France; and one of the provisions of the Bill to which he had referred, would be to alter the law in this respect. By the late Minute of the Privy Council on Education, also, it was proposed to establish what would be called "penal schools" in London, to which not merely children guilty of offences would be sent, but also the children of vagrants. In the papers which he had laid on the Table, they would also find that a great alteration was proposed in the system of transportation. The whole views of the Government on these subjects, had been detailed in a letter written by his right hon. Friend at the head of the Home Department and himself, which would also be found in these papers; and in them would also be found an account of the results of the system of transportation, especially to Norfolk Island, which he feared would make their Lordships shudder.

Lord BROUGHAM rose again to supply an omission. He had omitted to state that Captain Maconochie was of opinion that the imprisonment of juvenile offenders ought to be regulated, not by time, but by their own conduct. He would have a system of marks, and by the acquisition of good marks a convict might be enabled to work out his own release. No doubt offenders must be condemned for a certain time; but they might be permitted to reduce that time by evidences of reformation. He agreed with Mr. Hill in thinking that they ought not to be sentenced to too short a period of imprisonment, in order to leave a useful power in the hands of those who had the care of them. The plan was ingenious, and he thought that no small advantage might be derived from it. At all events, every one must acknowledge that Mr. Hill's plan was a step in the right direction. One of the magistrates of Birmingham, who had paid much attention to this subject, was in the habit of sending for the guardians, or those who had the care of the young offenders whom it happened to be his duty to sentence; and when he found them to be persons of any respectability, he exacted from them a promise, which they usually fulfilled, that they would watch over the conduct of the child who had been been betrayed into the commission of a guilty act. He then imposed a nominal fine, and dismissed the convict with an admonition. This system had for some years been in operation; and the result of inquiries upon the subject had shown that greater improvement was effected by it than by imposing long terms of imprisonment.

Petition to lie on the Table.

House adjourned.

HOUSE OF LORDS,

Friday, February 19, 1847.

Minutes.] Public Bills. — *Reported.* — Brewing from Sugar; Distilling from Sugar.

Petitions Presented. From British and Foreign Anti-Slavery Society, against the Use of Slave-grown Sugar in Breweries and Distilleries, as promoting Slavery.—By the Earl of Mountcashel, from Killarney, for Repeal of the Forty-fourth Section of the Poor Relief (Ireland) Act, and for the Adoption of such other Provisions as will render Property throughout the Poor Law Unions in Ireland subject to a Uniform Rate of Taxation for the Support of the Destitute Poor resident therein.—From Cork, for Consolidating the Gaols of that City and County. — From Cork, for Amendment of Municipal Corporations (Ireland) Act, as to the Appointment of Sheriffs and Recorders.—From Presbytery of Caithness, for the Adoption of a System of Registration of Births, Deaths, and Marriages in Scotland.—From Kincardine, and other places, against the Proposed Measure for Lowering the Duty on Rum.—From Proprietors of Sugar Estates in the Mauritius, in Favour of the Brewing from Sugar Bill, and Distilling from Sugar Bill.

RAILWAYS IN INDIA.

The Earl of ELLENBOROUGH said, that in asking the noble Marquess opposite if he were prepared to lay upon the Table copies of the communications which had taken place between the Indian authorities in this country and the speculators in projected railways in India, he might as well state perhaps what were the circumstances which particularly at the present moment induced him to put the question. Her Majesty's Government had lately, he thought with great propriety, resisted the proposition to give the aid of Government to a great extent in constructing Irish railways. They had done that upon various grounds, but more especially upon financial grounds, under the impression that granting aid, to the extent solicited at least, would have a most prejudicial effect on the money market and finances of this country. He was desirous of knowing, then, if Her Majesty's Ministers were acting on the same principle in giving answers to the requisitions which had been addressed to them, or to the Indian Government, on the subject of the railways projected in India. For a long time he was under the impression that the Government had no idea of giving any guarantee whatever for any amount of interest on the money which might be expended on these railways; but certainly the rumours which reached his ears some short time ago were of such a nature as to induce him to entertain very great apprehensions upon the subject. Their Lordships knew that in this country money could be raised by the Government at about 3½ per cent, and that that might be done to a very considerable amount in successive years without producing any very material effect on the money market. But in India at the present moment, he regretted to say, money could only be obtained by the Government at 5 per cent. It was but recently that the Government of India had felt themselves compelled to open a new loan at 5 per cent. Yet it was understood that the guarantee of the Government was to be proffered to speculators in Indian railways, if not permanently, yet for a period of years, to the extent of 4 per cent interest on their stock. Now, the House would at once see, however great might be the desire of the Indian Government to put an end to the 5 per cent loan, and to return to the 4 per cent loan, that that in point of fact was impracticable whilst money could be lent on railway stock at the same amount of interest, with the same security, with the additional advantage which might be derived from any excess of profits beyond the 4 per cent, and with a certain advantage, in some degree, of a share in the patronage, and, he was sorry to say, in the jobbing which would be connected with these speculations. Now, let the House look at this question, and see what a serious matter this would be, not only as affecting the people of India, but the great mass of individuals who vested their money in the securities of the Government of that country. The effect of opening the 5 per cent loan was this: Before it was opened, and when there was only a 4 per cent loan, the 5 per cents were at a very considerable premium, and the 4 per cents were, of course, about par; but the instant the 5 per cent loan was opened, the premium on the 5 per cent stock disappeared, nor would any man then purchase the 4 per cents at par. They fell considerably, and were now from 10 to 12 per cent discount. The combined operation of these two circumstances—the loss of the premium upon the 5 per cent stock, and the depreciation of the 4 per cent—caused in point of fact a loss of 4,000,000*l.* or 5,000,000*l.* in the value of the funded debt of India to the proprietors. In the month in which he landed in India, a 5 per cent loan had been opened; but so low was the credit of the Government, that only 35,000*l.* had been raised on the 5 per cent; while the 4 per cents had fallen to a great discount. Within eleven months he closed the 5 per cent loan: and when he departed, he could have raised any sum of money required, at 4 per cent. He left 10,000,000*l.* in the treasury, and had no doubt that, with a little assistance, he could have succeeded in reducing the rate of interest. Matters were soon changed; the 5 per cent loan which he closed was re-established, and the 4 per cents were at as great a discount as he found them on arriving in India after the Affghan war. For this he attributed no blame to the Indian Government in respect to its expenditure, because they were obliged to extend the army, and move large bodies of men. These were necessary expenses; and he believed that the Gentleman at the head of the financial department of India, who was a man of great ability and honesty, must submit with great reluctance to the necessity of opening this 5 per cent loan. But a recurrence to a 4 per cent loan would be rendered impossible if 4 per cent was to be guaranteed to Indian railway companies. The fault was in this country; and it was not fair to the people of India, when money could be raised here at 3½ per cent, that the credit of the Company in England should never be brought to bear in aid of the credit of the Company in India, but that the people of India should be obliged to give 5 per cent for money to be remitted here in discharge of obligations, thus paying 1½ per cent more for every 100*l.* raised for the use of the Indian Government, than need be given in this country.

The MARQUESS of LANSDOWNE observed that the noble Earl had given notice of his intention to put a question on the subject of railways in India; he would, therefore, proceed now to state how the matter stood, without entering into the consideration of the general policy that ought to be pursued in India. The question put to him was, as to whether there had been any portion of the public finances pledged to the promotion of railways in India. He had no objection to produce any information that could be afforded as to the state of the case. Two months had now elased since the Board of Control had made known to companies desirous of speculating in railways in India, on what terms advances might be made in favour of those undertakings. Two months, he said, had elapsed since that statement had been made, and no answer had been received from those companies. This statement was in itself a good proof that the terms on which the advances were to be made, were not so very favourable, or an answer would have been received much sooner. It would, he thought, be premature, before the correspondence closed by an answer being received from the companies, to lay before the country what were the terms on which those advances were to be made. He was sure that when the correspondence was laid before the public, it would be seen that the utmost degree of caution had been used; and that at no time was it contemplated to make a loan for the purpose of assisting those undertakings. As to the general question, he said that he entirely agreed with the noble Earl in thinking that the same degree of caution ought to be used with regard to the promotion of railways in India, on any insecure foundation, as in any other part of the empire. When the correspondence was completed, he should state fully what had taken place with respect to the establishment of railways in India.

The DUKE of RICHMOND: He hoped there would be no objection to give loans to Irish railways on the same terms as those offered to speculators in Indian railroads. He thought the rejection of the Bill introduced with regard to Irish railways, in another place, most unfortunate; and he hoped Ministers would not afford, by the superior facilities they held out for the formation of railways in India, an additional argument to those who demanded a repeal of the Union.

The MARQUESS of LANSDOWNE: We must wait until we see the terms offered to Indian speculators to judge of that.

The EARL of RIPON observed, that when he was at the Board of Control, in consequence of applications made to him on the subject of Indian railways, which he regarded as advantageous for the purposes of internal communication and national defence, a commission was sent to India to make certain preliminary inquiries. At the time he left office, the preliminary inquiries had not been completed. If any decision had been come to by the commission, it was desirable that it should be made known.

RAILWAYS—THE CURRENCY.

LORD ASHBURTON moved for the following returns:—

"Account of the Capital or Stock authorized to be raised by any Railway Companies by any Acts passed during the Two last Sessions of Parliament, of the Amount of Money actually so raised, and of the Amount remaining to be paid: Also,

"Account of the Sums authorized to be borrowed by all Railway Companies under the Powers given them by any Acts of the Two last Sessions of Parliament: Also,

"Account of all Sums borrowed by all the several Railway Companies from the Period of their Commencement to the present Time; distinguishing each Year, and stating the Amount of such Debt still outstanding; stating also the Rate of Interest at which such Sums were borrowed, and the several Periods when the Money so borrowed is promised to be repaid: Also,

"Account of the Amount which each of the several Railway Companies have still Power to borrow by their several Acts of Parliament: Also,

"Account of the proposed Amount of Capital, and of the proposed Power of borrowing, of all Railways of which Notice has been given to the Railway Commissioners, of Bills intended to be presented to Parliament during the present Session: Also,

"Account of the value of all Gold and Silver Coin and Bullion in the Bank of England, and of the Bank Notes in Circulation, exclusive of the Notes held in reserve in the Banking Department, at the several Periods when the Returns are made public, from the 1st January 1846 down to the latest Period: Also,

"A Monthly Return of Public Securities held by the Bank of England, during the same Period: Also,

"Return of the Amount of discounted Bills by the Bank of England, during the same Period: And also,

"Return of all Investments by the Bank of England in the Bonds, Debentures, or other Engagements for borrowing Money of any Railway Company; stating the Periods of such Investments, the Rate of Interest at which they were made, the Periods of promised Repayment, and the Sums still remaining due to the Bank."

The EARL of CLARENDON said, that with respect to the first set of returns relating to railways, there was no objection to the noble Lord's Motion; nor in reference to the second set was there any objection to the return of the value of the gold and silver coin in the Bank, &c., for that was information which was already made public. With respect, however, to the three other returns relating to the Bank of England, he hoped the noble Lord would not press for them. He was not there making any objection on the part of the Bank; but his noble Friend must see tha it would be prejudicial even to such an establishment as the Bank of England to publish such information. His noble Friend's experience and knowledge in banking affairs, must point out to him the injustice of compelling the Bank of England to publish an account of their proceedings in private transactions, and to lay themselves bare to the rivalry of joint-stock and other banks from which the same information was not required. It was notorious that this sort of information had been refused by the directors to the proprietors. During the discussion of the Bank Charter Act, ample care was taken to secure the publication of all the information which was thought necessary; but Parliament did not require the nature of the securities to be made known, because that might affect other parties as well as the Bank — those parties, for instance, whether merchants or manufacturers, to whom, being in distress, the Bank might have lent money. His noble Friend had not brought forward any charge against the Bank of England for mismanagement; and he therefore trusted that their Lordships would not assent to what would amount to a departure from the Act of Parliament regulating the Bank of England.

LORD ASHBURTON said, it was impossible to observe the effects produced on the currency, without being, at least, anxious to ascertain the latent causes; and if the information he asked for could be given without any injury to the Bank of England, it would be bad grace in that establishment to withhold it. He would not press for the production of any papers which his noble Friend opposite might object to lay before their Lordships; but he presumed that, instead of the monthly returns of Exchequer-bills, there would be no objection to a monthly return of the public securities in the Bank of England.

Lord MONTEAGLE observed, that his noble Friend (Lord Ashburton) would not be justified in drawing any inference injurious to the directors of the Bank of England from the refusal to produce all the papers for which he had moved. Certain periodical returns were obligatory upon the Bank; but he (Lord Monteagle) thought it would be at least imprudent to call for any other returns from the Bank, to which there might be objection, unless the necessity of the case was overwhelming; and he must confess that he did not think such necessity now existed.

Lord BROUGHAM had no doubt the Bank would not object to the production of the returns for which his noble Friend had moved. If any inference did arise from the non-production of these returns, it was possible that the Bank might graciously come forward and volunteer to produce them; and if that were the case, he dared say his noble Friend would be quite satisfied. The withdrawal of the present Motion would not prevent the Bank from volunteering these returns; and if they were not afforded, he (Lord Brougham) would have a lurking suspicion that the directors agreed with the noble President of the Board of Trade, and that there was some reason for objecting to their production.

Lord ASHBURTON hoped it would not be supposed that he had cast any reflection whatever on the directors of the Bank of England, who were most honourable in their transactions, and for whom it was impossible for any one to entertain greater respect than he did. His object in asking for this information was merely to ascertain to what extent the agency of the Bank had been carried in the operations to which he had on a former occasion referred.

The two first sets of returns were then *agreed to;* the last *withdrawn.*

BREWING FROM SUGAR BILL—DISTILLING FROM SUGAR BILL.

Order of the Day for the House to be put into Committee on the Brewing from Sugar Bill.

The Earl of CLARENDON: My Lords, before I proceed to move that you go into Committee on the Bills now on your Lordships' Table, I will take leave to say a few words with respect to what fell from my noble Friend (Lord Stanley) the other evening, and also with respect to what fell from my noble Friend to-night, with reference to the permanent character of the measures for permitting the use of sugar in breweries and distilleries. My noble Friend thought that these measures ought to be of the same temporary character, and for the same reason, as the Bill which was introduced in Parliament for permitting, till the 1st of September next, the free importation of foreign corn. My noble Friend stated the other night, that these measures were all mentioned together in the Queen's Speech from the Throne, as intended for the relief of existing distress. A limited duration was, however, confined to the Bills for the suspension of the Navigation and the Corn Laws; and my noble Friend opposite, on the first night of the Session, remarked on the different character of the present Bills, and, assuming that they might be permanent, commented on the danger which might threaten the agricultural interest from their adoption. Now, my Lords, although these Bills may serve to prevent a rise in the price of barley, and to mitigate the present distress, yet I am bound to say, that even if Ireland had not been afflicted by famine, the Bill for permitting the use of sugar in breweries would have been introduced, in redemption of a pledge given by my right hon. Friend the Chancellor of the Exchequer at the close of the last Session of Parliament, and as an act of justice to our fellow-subjects in the colonies. The West India interests were distinctly promised that their claims, which were put forward, I must say, on irresistible grounds, to have their productions placed on fair and equal terms of consumption with all other productions, should be considered at the earliest period of the present Session. They claimed that consideration of us not only as an act of justice, but as their right; and they referred to those arguments which were used with so much force and eloquence by my noble Friend opposite, when he brought forward his measure for the admission of Canadian corn into this country, insisting that Canada should be treated as an integral part of the British empire, and asking a British House of Commons whether it was wise, or just, or generous, that fiscal regulations should be allowed to stand in the way of such an object. My Lords, the West India interests had some cause of complaint that their reasonable claims were not taken into consideration earlier; and it was nothing but the late period of the Session at which the Government measures were introduced, and the pressing nature of the business which devolved upon Ministers, owing to all measures having been postponed by the length of the corn law debates, as well as the necessity for making elaborate calculations before any step was taken, that prevented earlier legislation on the subject. Under these circumstances, Her Majesty's Government were bound to be prepared with a measure of a fair and liberal character, as well as permanent in its operation; and that obligation was all the more pressing because we had reason to expect that it might afford some temporary relief to the existing distress at home. To make this measure a temporary one, so far from being an act of justice towards the West Indies, would be an act of injustice, and they would prefer to be without it. It would give rise to agitation for the renewal of the measure, and lead to much gambling and speculation, and to much disappointment and annoyance, if this measure were only to last till the 1st of September next. No man would venture to embark his capital in the trade while such a state of things existed; it would neither afford security to the colonies, nor to the brewers and distillers at home. These, my Lords, were the reasons which induced Her Majesty's Government to bring forward this measure as a permanent one. And I think that, even as regards our own interests, reasons equally cogent may be given for investing the measure with a permanent character. If we bear in mind the course which legislation has taken for some time past, I think it may be concluded that restrictions of any kind whatever cannot be maintained upon articles of food. I think that when Parliament has subjected the producer of malt to competition with foreign barley growers, we cannot exclude them from competition with the productions of our own colonies. I think that we can no longer allow a penalty of 200*l.* to be levied on our brewers for having the productions of our colonies in their brewhouses. And, my Lords, it must not be kept out of sight that this proposed change in the law will affect only public brewers, and not private brewers. The private brewer, brewing for the consumption of a large establishment of workmen or servants, may use as much sugar as he pleases; though I am bound to say that I never heard of sugar being used to any extent. At the same time I must say, my Lords, that we are bound to show some good reasons, founded upon public utility, before we impose any restriction on the use of sugar in breweries. Now, with respect to revenue, it is a matter of indifference whether malt or sugar be used in the making of beer. The duty on a quarter of malt is 21*s.* 8*d.* a quarter, and 22*s.* 6*d.* is the duty on 180 lbs of sugar, which is considered to be equal to a quarter of malt, at the very lowest calculation. My Lords, I believe this calculation is too low; it is taken at 200 lbs. in the Bill, and I believe that the latter calculation is very nearly correct. I believe that formerly 180 lbs. would have been a correct calculation; but owing to various circumstances, particularly in consequence of the greater skill attained in brewing, I believe 180 lbs. of sugar is no longer equal to a quarter of malt: 200 lbs. is as nearly correct as may be, though I have heard within the last few days the calculation made at 210 lbs. I will, however, take the calculation at 180 lbs., because that is the point at which the agriculturists consider that this measure is likely to affect their interests. If, therefore, 180 lbs. of sugar, paying 22*s.* 6*d.* duty, displaces a quarter of malt, paying 21*s.* 8*d.* duty, the revenue certainly would be a gainer. But sugar never can be used as a substitute for malt, except when the price of sugar is extremely low, or that of malt is extravagantly high. An admixture of a certain portion of sugar, however, in breweries, is very advantageous; it facilitates fermentation, and expedites the whole process of brewing; and if the beer be improved by the effect of this measure, the demand for it would be improved also, and the agricultural interest will be in that sense a gainer. Now, for some time past barley has risen in value, and for some time it has maintained a price quite unparalleled. The quarter of malt has been as high as 87*s.*, 88*s.*, and 89*s.*, and the price of beer has been raised 1*d.* a pot; and let me tell your Lordships that an addition of 20 per cent on the price of his beer, is no trifling consideration to a poor man. This price of malt was so extravagantly high, that while it kept up to this point, some of the first houses in London actually suspended their malting operations. Now, if the use of sugar had been allowed at that time, the price of beer would not have been raised. It is, therefore, I say, that in times like these this measure will not be of that absolutely nugatory character which my noble Friend seemed to suppose it would be. Taking malt at 84*s.* the quarter, which it is worth now, and deducting therefrom 2*s.* 6*d.*, as an allowance to the trade, the quarter of malt would stand at the price of 81*s.* 6*d.* to the purchaser; and again, taking sugar at 47*s.* per cwt., 180 lbs. would be worth 75*s.* 6*d.* There is, therefore, at present the difference between 81*s.* 6*d.*, and 75*s.* 6*d.* in favour of the use of sugar above that of malt—a difference which I think may safely be afforded at such a moment as this. To whatever extent this may act upon the price of grain, your Lordships would find in the present circumstances of the country, in the failure of the potato crop, and the apprehension of still greater distress before the summer was over, sufficient reason to leave nothing undone that may have the effect of reducing the prices of grain. At the present time, therefore, this measure would serve to mitigate in some degree the existing distress; but in ordinary times, when malt is at 60*s.* the quarter, sugar at 75*s.* 6*d.* will be too high for the purposes of brewing. And, my Lords, even if it were not too high, we have the evidence of Mr. Whitbread, and other eminent brewers, given before a Committee of the House of Commons, which shows that, under no circumstances, could a proportion of more than one-fourth or one-third of sugar be used in breweries, without greatly deteriorating the quality of the beer. Upon the whole, the tendency of this measure, I confidently believe, will be to benefit the brewer as well as the grower of barley. It is contended by the West India interest that the use of molasses should also be permitted; but we do not think it expedient to agree to this proposition. The duty on molasses at this moment is 5*s.* 9*d.*; and if 250 lbs. of molasses are equivalent to a quarter of malt, the duty on molasses must be raised to 9*s.*, in order to make the duty on sugar and molasses equal. But further, molasses vary very much in saccharine strength; and though some persons consider 250 lbs. may be equal to a quarter of malt, others consider 260 lbs. a fair equivalent. This would lead to the necessity of having an excise duty imposed equal to the difference between these rates of duty. Now the excise duty would occasion as much inconvenience to the brewer in the prosecution of his business, as if the beer duty were to be reimposed. I must say that I believe that the admission of sugar on those terms would not benefit the West Indies, because the more the cultivation of sugar is attended to in the colonies, the less there will be of molasses sent over to this country. I now come to the introduction of sugar into distilleries. I must remind your Lordships that at present sugar is not permitted to be used in distilleries. A revenue of 5,200,000*l.* is raised from British spirits, the duty being imposed on the principle of getting the greatest possible amount that can be raised. Many attempts have been made to raise the revenue by increasing the duty on spirits. I need hardly remind your Lordships that those attempts have always failed, and that it was found necessary to reduce them in order to prevent fraud on the revenue. It is not thought right to mix the duty on grain and sugar, and it is therefore proposed to admit the use of sugar duty free in distilleries, only calling upon the distiller to pay an amount of duty equivalent to the duty which would be paid on the corresponding quantity of malt. Spirits produced from grain are composed of two parts of oats, two parts of malt, and eighteen parts of barley, and the result of this distillation is charged with a duty of 7*s.* 10*d.* per gallon, *plus* the duty already paid on the two quarters of malt. It is proposed that the spirit produced from sugar shall pay the same duty as spirit produced from grain, *plus* a sum equal to that which has been paid on the malt. It is proposed also that the distiller shall be permitted to take the sugar out of the bonding warehouse, paying the duty on it, and when he comes to pay the spirit duty, he shall have an allowance made him equal to the difference between the duty he had paid on the sugar, and that which he would have to pay on the malt. That difference was calculated at 14*d.* per gallon, consequently an allowance of 12*s.* 10*d.* on the quantity of spirit which would be produced from 1 cwt. of sugar would be received, back leaving it charged (as we understood) with the duty paid on the malt. The question, therefore, is what is the amount of spirit which can be produced from sugar. From 1799 to 1812, the temporary use of sugar in distilleries was at various times allowed. Calculations were then made that 11½ gallons of spirit were produced from 112 lbs. of sugar. In 1812, when the Bill was passed permitting the general use of sugar in distilleries, and again in 1831, when the question was investigated before a Committee of the House of Commons, it appeared that 11½ gallons of spirit were produced from 112 lbs. of sugar. The Board of Excise have also made experiments through the agency of most experienced officers, and they have no hesitation in stating that 11½ gallons of spirit at proof is the result of distilling from that quantity of sugar. Even since that time fresh experiments have been made by one of the most eminent chemists in London, the results of which show the exactness of former experiments. Now, in times like the present, when distilling barley is about 54*s.* the quarter, sugar, which is 47*s.* per cwt., is just on an equality with barley. But in ordinary times, when barley for distillation is at 30*s.* the quarter, which I think the noble Duke opposite (the Duke of Richmond) will admit is a good price for ordinary times, sugar must be at 17*s.* to compete with barley—a price at which it never has been, and never is likely to be. The competition, therefore, between the two articles must depend on their relative prices, and therefore, though these Bills are permanent in their nature, they must always be temporary in their operation. I do not think that the agriculturists will regret this, for I am sure that I can do the agricultural body no greater injustice than to suppose that they wish to turn to their own individual profit the distress of their fellow-countrymen. I have now, my Lords, endeavoured to state, without the least exaggeration on either side, the reasons which have induced the Government to bring forward these measures, and I have endeavoured as briefly as I could to make the subject clear to your Lordships. I can assure my noble Friend, that if I thought any light could be thrown upon the question, or if any fresh data could be obtained, I should not object to his Motion for referring the Brewing from Sugar Bill to a Select Committee. But convinced as I am that the calculations on which they are founded are quite correct, and that no further information can be required or obtained, and thinking that some good may be produced by passing the measure without further delay, I trust that your Lordships will allow the Bill to be considered in a Committee of the whole House.

[*Moved*—" That the House do now resolve itself into Committee."]

Lord STANLEY: I hope, before I proceed to offer any comment upon the observations which have been just made by the noble Earl (the Earl of Clarendon), that it will not be considered disrespectful in me, if, in reference to the noble Earl's commencing observations, I once again call your Lordships' attention to the Speech which was delivered by Her Majesty from the Throne at the commencement of the Session. In that Speech, as I stated the other night, we were informed it would be the duty of Parliament—

> "To consider what further measures are required to alleviate the existing distress. I recommend to you to take into your serious consideration whether, by increasing, for a limited period, the facilities for importing corn from foreign countries, and by the admission of sugar more freely into breweries and distilleries, the supply of food may be beneficially augmented."

I think it cannot be denied that when Parliament met, the natural and necessary inference which was to be drawn from that passage of the Speech from the Throne was, that it was the intention of Her Majesty's Ministers to advise Parliament to adopt such measures as were best calculated to alleviate the existing distress—measures which, in the first place, would permit the freer admission of corn into this country, as well as the freer admission of sugar into breweries and distilleries. I cannot however, but repeat the expression of my regret that what I consider the wise and judicious recommendations of my noble Friend behind me (Lord Ashburton), namely, to keep quite distinct and separate those measures which were introduced for the amelioration of the existing distress, from those which were founded on a more general and permanent character, have not been followed by Her Majesty's Ministers. I am quite certain, at all events, that Her Majesty's Government will do this House and the other House of Parliament the justice to say, with respect to those measures that have been laid before them for the purpose of the alleviation of the existing distress, that they have not been embarrassed by any factious opposition—nay, more, that they have not even been subjected to those questions which, under ordinary circumstances (and as they confessed themselves). they would be liable. I think Her Majesty's Government must also admit that there has not been the slightest disposition manifested to interrupt, not even for a single moment, the passing of those measures which were introduced with the expectation of mitigating or alleviating the existing distress. Although it has not been contended that these measures as a whole are not temporary, but rather permanent measures, yet I do say if the Government had been prepared to produce them as temporary measures, there would be no occasion for any discussion whatever respecting them, nor would it be necessary to raise the question of referring them to a Committee. I am satisfied as respects them, and all the other measures which had for their object the alleviation of the existing distress, there would not have been a dissentient voice raised against them in either House of Parliament. I can assure your Lordships that I did not intend the other night to give any offence when I used the expression "under cover;" still my opinion is, while those measures are introduced to alleviate the general distress, they will rather effect a complete alteration in every portion of your commercial policy. I think, therefore, that I do not go too far in saying that that slight examination which your Lordships would have felt justified in giving to a measure which was intended to be temporary only, will not be sufficient to justify you in passing it without a sufficient, nay, the very fullest, examination and information, when it is brought forward as a measure which, it is admitted, will have an immediate effect on the sugar growers in our colonies and in foreign countries, and on the barley growers also, both here and in other countries. On former occasions there has not been any difficulty experienced in passing temporary measures of a similar kind. In 1797, in 1803, as well as upon several subsequent occasions, with a view to this very case, measures were introduced for the purpose of sanctioning the temporary use of sugar in breweries and distilleries; and if, for the alleviation of the present distress, the noble Earl had said, " We think it expedient, for the next six months, to allow the admission of sugar into breweries and distilleries, for, as the stock of barley is small, it will be important to economise the stock of grain (though I doubt that they would under such circumstances have been able to effect their object)—even were the noble Lord to propose a still stronger step, and to prohibit the use of grain in distilleries until the next harvest, which would be infinitely a more effectual means to promote their purposes than the present; if, I say, such a course had been adopted, there would be no difficulty in obtaining the sanction of Parliament to it. The noble Lord talked about a pledge that had been made to the West India colonies last year. What is that pledge? For what purpose was it made? And by whom? How was the Parliament made a party to that pledge? We were told it was made at the close of the last Session of Parliament; but are we, at the commencement of this Session of Parliament, to be debarred from the full and close discussion of measures which will affect the permanent and commercial policy of this country by the anwer that Her Majesty's Government had made a certain promise at the close of the last Session of Parliament? If Her Majesty's Government did enter into any such pledge, it was impossible that they could do anything more than to say to the West Indian colonists that their claims would be taken into consideration. That is all the Government could do. I do not object to the fulfilment of that pledge. I also say let those claims be taken into consideration; but let us not accept these measures on the mere declaration of Her Majesty's Government. Let us inquire whether that which we are told was asked as a boon, be a boon; let us inquire whether the tendency, in point of fact, might not be, as the noble Earl has, in my opinion, proved—that the supposed boon will be nugatory and ineffectual as regards our interest; let it be ascertained by inquiry whether what will be considered as a boon to the West Indian colonists, will not be rather a boon to foreign producers; for it is my strong impression, that whereas the West Indies will really gain very little at once by these measures; on the other hand, as the diminishing weight of the duty reduced the pressure of that duty on the foreign producer, so, more and more, will these measures prove advantageous to the foreign producer, by enabling him to enter into competition with the West Indian colonists; while, at the same time, they will operate mischievously to the barley-grower in this country. The noble Earl has cited the instance of the Canadian Corn Bill, and quoted a speech which I am supposed to have made in support of that measure, in which I remonstrated against the injustice of placing the colonists on a different footing from the British grower. Upon that occasion I stated that I had given, on the part of the Government, a pledge to the Canadians; and that I did so in the face of Parliament, and that Parliament did assent to the arrangement. On the specific declaration so given, the Motion then before the House to raise Canadian wheat to the same footing as British wheat, was withdrawn, on the understanding that that measure should be adopted; but it was only to be adopted, provided certain measures should also be carried out by the Canadian Parliament, which was afterwards done. But when and how was this pledge given to the West India interest?

The Earl of CLARENDON: In the House of Commons.

Lord STANLEY: In the House of Commons; and sometime, I suppose, towards the conclusion of the month of August last?

The Earl of CLARENDON: When the Sugar Bill was before that House.

Lord STANLEY: I must remind the noble Earl that there is a wide difference between the principle of a measure like the Canadian Corn Bill, and a measure which, by introducing the produce of foreign countries in rivalry with the produce of our own colonies, by so much tends permanently to exclude the produce of those colonies. But I desire to protest against that most dangerous line of argument which Her Majesty's Government appear to have adopted on this question—against that dangerous chain of argument, of one step following upon another step, though the one might not be contemplated when the other was allowed—a mode of proceeding which it becomes your Lordships to watch. First, a measure was introduced to destroy protection to British agriculture and to home-grown corn. To procure support to that measure, some of the producers of this country, and the agriculturists amongst them, were told that they should have sugar cheap in return. Then, when the Sugar Bill was brought forward, a negotiation came on with the West India proprietors, and then the Government came down with a pledge, and asked from them a promise not to resist these measures, because they were told that if carried, they, the West India interest, would have their sugar introduced into the British market to an extent they had never had before. I have watched this measure with increased jealousy from what has occurred within the last few weeks. At the commencement of the Session, we were told that certain measures of a mere temporary nature would be brought before us, intended solely for the purpose of facilitating the introduction of corn into this country; and to effect that, we were also told it would be expedient to relax the navigation laws. Not a dissentient voice was raised against those temporary measures. But within one week of that time what followed? A Motion was made in the other House, in which it was urged that all other restrictions having been taken off, the shipowners had no claim to protection on their part—that the foreign producer had a right to send, and the British consumer had a right to receive, on equal terms, in the ships of any nation they pleased, what they required. It was then affirmed that restrictions on trade could not be permanently maintained. That it followed as a necessary consequence from the admission of the principle of free trade, that the restrictions which so long protected the British Navy by the navigation laws, must be swept away from our Statute-book as the lumber of former times. And what did the Government do? Did they consider it to be a question which ought to be delegated to a Committee of the House of Commons? Was the maintenance of the navigation laws one on which the Government had or had not made up their minds? Did they require information; or had they it not in their power to say, "We intend to resist the repeal of the navigation laws; we will not therefore consent to put in the small end of the wedge by giving the sanction of our authority to an inquiry professedly instituted for the destruction of those navigation laws?" But when that inquiry was moved for with these avowed objects, Her Majesty's Government not only gave their assent, but they gave their prompt assent, to the proposition for an inquiry having that result. Sometimes, I know, it may be convenient and proper to promote inquiry: when questions are brought forward by Motions for Committees of Inquiry, when the real object is to sift a measure, and to have an examination of the facts and figures on which it is founded, a very different course may be properly pursued by the Government. The experience of to-night shows, that in such a case as this it is convenient to the Government to refuse inquiry; although, in other cases, they can grant it, where the objects to be gained by the assent to an inquiry were open and notorious, and where, indeed, it was for the Government to decide whether they had not arrived at a point where they ought to stop; or whether, on the other hand, they should not follow what some might consider their legitimate course, that of carrying out the doctrines of free trade. But, with all the leaning of Her Majesty's Government in favour of free-trade doctrines, it seemed that they could get rid of them even in these Bills, when the revenue was concerned. Although the noble Earl (the Earl of Clarendon) has announced to us that it is impossible that restrictions on trade should continue; that you could not exclude the produce of your own colonies, and much more that of other countries; yet, I find, notwithstanding this doctrine of free trade, a prohibitory clause in this Bill. I find in the third clause of the first of these Bills a provision—

> "That if after the passing of this Act, any brewer shall make use of molasses, sugar, honey, syrup, or extract of sugar, except sugar on which the duty has been paid as aforesaid, and made use of in the manner hereinbefore allowed; or if any such person receives or takes into his custody or possession any quantity of molasses, honey, syrup, composition, or extract of sugar, every such brewer shall forfeit and lose for every such offence the sum of 200*l.*"

I do not say but that this may be a very proper restriction for the purpose of revenue; but bear in mind that we must conclude from that clause, as well as from its introduction by the Government, that those free-trade principles are to be taken up, or to be unceremoniously thrown down, if there be any fear that either to adopt them or to maintain them would at all interfere with the revenue. The doctrines of free trade, no matter how destructive to private interests, to those who may have embarked their capital in commercial enterprise, must be maintained; but if the principles of free trade interfere with the revenue, free trade must yield. If the principles of free trade be sacred, more sacred is the revenue. I beg it may be understood, that if the doctrine of free trade can be so unceremoniously laid aside from the fear of injury to the revenue, is it not the duty of Government also to sanction and to encourage those interests which increase the capital of the country, and, as a necessary consequence, augment its revenues? The noble Earl, when he entered on this question, went into the discussion of the probable results of the measure he proposed; respecting which, the facts and figures have gone a great way to convince me—so far, at least, as the agricultural interests of this country are concerned—that the whole affair is neither more nor less than waste paper. So far as the West India colonies are concerned, the boon is a mere nullity; and as to the present state of distress, if the noble Earl's facts and figures be correct, the introduction of sugar is barely possible (if it be possible at all) even at the present price of malt and barley.

The EARL of CLARENDON: You do not refer to breweries?

LORD STANLEY: I am not only arguing against the proposition of the noble Earl, but I also argue that, before your Lordships adopt this principle of general policy, you ought to satisfy yourselves by instituting that inquiry which was granted on many former occasions, whether the facts and figures adduced are correct, and whether they are the sole basis on which the noble Earl has proceeded. I almost despair on so intricate a subject of making myself intelligible to your Lordships, in detailing the calculations upon which the measure was founded. But, from what I have to show you, there is hardly a point on which there is an agreement as to the proportion between sugar and malt, or between sugar and barley, with the view to the production of spirits or beer; so that there was no real agreement about that upon which the whole of the measure depends. The noble Earl assumes that 112 lbs. of sugar will produce $11\frac{1}{2}$ gallons of spirits; but he goes on to say, that, to find an equivalent in barley or malt, you must examine into the quantity of spirits that barley or malt will produce: now, upon the fact of what quantity of spirits a certain quantity of barley or malt will produce, depends the correctness of the calculations of the noble Earl. The noble Earl says, that it is undecided whether a quarter of malt will be equal to 180 lbs. or 200 lbs. of sugar; and with that great difference, amounting to two gallons out of twenty gallons, one-tenth of the whole, he yet says you will be able to come to a close computation between these different articles. Moreover, the noble Earl added, that he assumed in the Bill 200 lbs.—but he argued upon 180 lbs. If the noble Earl will look back to the evidence which was taken before the Committee in 1831, he will find the most contradictory statements made on this subject. One gentleman stated, that 180 lbs. was equal to a quarter of malt, and that it ought to produce 18 gallons of spirit, or the same proportion of $11\frac{1}{2}$

gallons to 112lbs. Upon that inquiry, many questions arose as to the quantity of spirits which a quarter of malt would yield. One gentleman said, that 18 gallons might be produced from a bare quarter of the best malt—that he had been engaged in the trade to a large extent, and that the highest amount he succeeded in obtaining, was 18 gallons from a quarter, and that the lowest amount was 14 gallons from a quarter—the average being 16 gallons from the quarter—exhibiting a difference of one-fifth of the whole amount of the price of the article. Next, a gentleman stated, that he believed 18 gallons of spirits might be produced from superior barley. Again, it was stated by another, that he produced 18 gallons of spirits from a quarter of malt, but it was superior malt—it contained 80lbs. of pure saccharine matter; and, finally, it was stated by another, that he believed the whole amount of spirits which was produced from a quarter of malt, was not 18 nor 16, but 15·84 gallons, or nearly 16 gallons. The result is, that instead of comparing with 200lbs., you will have to compare with 160lbs.; and then there is a difference of 40lbs. weight in the computation upon which this question is to be decided. I have endeavoured to make this statement as intelligible as possible, and I hope I have succeeded. I have not taken upon credit any statement that has been made on one side or the other of the House; but I have carefully examined into the facts that were alleged by the noble Earl, and I ask if they were borne out by the evidence? Here, then, is a positive difficulty—a difference sufficient to justify me in calling on your Lordships not to take on credit any statement made on the other side, but to examine into the facts; and I am convinced that, when they come to be sifted into, and examined, it will be found that the matter will be of little consequence to the colonists or the agriculturists here, but that they will find themselves much affected by the stimulus which this measure will afford to the increased importation of foreign sugar. I find, also, that when the Government experiments were made which served as the foundation for these measures, the price of Havannah sugar was 49*s.* Suppose, then, that which the noble Lord did suppose to be the fact, and which he believed to be the fact, that a quarter of malt is equal to 200lbs. of sugar, look at the result. The calculation which excise officers will give, is, that sugar at 50*s.* 4*d.*, which is only 1*s.* 4*d.* below the present price, is equivalent to the price of malt at 90*s.* the quarter; it is evident that until malt reach the price of 90*s.* a quarter, sugar cannot be brought into competition with malt. If that be true, it completely disposes of the remedy now proposed to alleviate the present distress, because at the present exorbitant price, sugar cannot be brought into consumption at the present price to compete with barley and malt. But, my Lords, the noble Lord appears strenuously to contend, that at some time or other the introduction of sugar for the use of breweries and distilleries, must be attended with advantage. That doctrine, whether true or false, is an admission of the principle of the sliding-scale—it is an application of the sliding-scale to sugar—it is saying that the quantity of sugar introduced into this country did bear a certain proportion to the rise or fall in corn. This from the opponents of the sliding-scale, or those who have heretofore been the opponents of the sliding-scale, is a novelty—their doctrine now appears to be, that the course which they recommended with respect to colonial sugar must be adopted, in order to prevent uncertainty in the price of colonial produce. I will not enter into the noble Lord's calculations, because they are not proper matter for discussion in this House, but in a Committee, where they can be examined, tested, and sifted; and this forms the strongest possible ground for the appointment of such a Committee. If before such a Committee it should be found that Her Majesty's Government are correct in their statements, I am quite sure there will be no disposition on the part of those who advocate the principles of protection to oppose the measure. They will then adopt the proposal without the least fear as to the result; but with a diminished doubt as to the benefits the colonists are likely to derive from it. I should wish to call attention to the manner in which the noble Lord thinks the colonists are to be benefited by this measure. The greatest benefit which it could confer upon the colonists, would be a considerable rise in the price of sugar; but if a rise takes place, according to the hypothesis in the argument of the noble Earl, it is impossible that colonial produce can come into consumption at all. The noble Earl said, that a very large increase in the consumption of sugar in this country, must materially benefit the West Indian interest.

I very much doubt that fact. I much doubt whether any increase in the consumption of sugar here, will benefit the West Indian interest in the present state of your law, and the duty on your produce remaining fixed, while the duty on foreign slave-grown sugar has been diminished. On the contrary, any increase in the consumption must be an increase in the consumption of slave-grown and not of colonial produce. In the course of the year 1844, the consumption of sugar in this country was 206,000 tons. In 1845, the consumption was 240,000 tons of British, and 3,867 tons of foreign sugar; making altogether, in round numbers, 244,000 tons as the consumption of 1845. Now, supposing the consumption of the last month of 1846 to be on an average with the remainder of the year, the total consumption of sugar in 1846 would be from 244,000 to 260,000 tons. Was that increase for the advantage of the colonial grower? Certainly not. In the first year —1845—of a consumption amounting to 244,000 tons, 240,000 were British; in the second year, of the 260,000 tons consumed, the British produce was less by 2,000 tons than that of the previous year; while the foreign and slave-grown sugar had increased from 3,867 to 8,192. Now, my Lords, unless I am misinformed, the same thing is going on in the present year. There has been an increase of about 1,500 tons of British sugar as compared with the corresponding period of last year, while there has been an increase of 7,072 tons of foreign slave-grown sugar. It appears, then, that any increase in the consumption under the proposed arrangement, will be an increase of slave-grown and not of colonial sugar. In four years' hence the whole of the benefit of increased consumption will be conferred on the producers of slave-grown sugar. In four years time estates will be improved, cultivation extended, slaves imported, and production immensely increased; and what then? Why, those increased productions will not come in on the same footing, in competition with the colonial grower in the colonies and the agricultural grower here, but with the additional advantage of 7*s.* a quarter in favour of the foreigner, and against your own colonists. Now, can it be doubted that if the increased consumption of sugar here, be it for beer or anything else, have any effect, it must be for the benefit of slave-grown sugar, and not of colonial? The noble Earl referred to the question of the distilleries, and told my noble Friend that malt at 60*s.* requires sugar to be at 36*s.*, in order to render it possible to bring the latter into competition. Now, I think that position depends altogether upon the question, not only of the quality of the spirits which are to be derived from sugar—a circumstance which appears to have been altogether omitted from the consideration of Her Majesty's Government—but of the amount of spirits which can be extracted from a quarter of malt. This should have been one of the great elements in the calculation, and yet it is one upon which we are left entirely in the dark. But when the noble Lord speaks of sugar being sold in the market at 36*s.* he should recollect that it will be introduced into the distilleries of this country, not at that price merely, but at that price with the immense drawback of 12*s.* 10*d.* While the malt is taxed to a heavy extent, the sugar is to be introduced, and the whole, or nearly the whole, of the duty paid, received back in the shape of a drawback. All this complexity of detail only proves the necessity for investigation of the whole subject by a Select Committee. The noble Earl has stated that sugar was never so low as 35*s.* or 36*s.*; but he has forgotten to state that never till now was the duty so low as it is now, and that that duty is to be still lower. But when he states that sugar never was so low as 35*s.*, I beg to remind him that in 1830 Jamaica sugar was brought into the market of this country and sold for 40*s.*, paying a duty of 24*s.* In 1835, Jamaica sugar was, not at 35*s.*, but at 19*s.*; and a short time ago Havannah sugar, 3 per cent better than the ordinary run of brown sugar, was sold, minus the duty, at the rate of 21*s.* per cwt. Now, sugar, selling at 35*s.*, and admitted to the distillery on the terms proposed, would be only 22*s.* 2*d.* to the distiller—that is, after deducting 12*s.* 10*d.* for the drawback. I hope your Lordships will not infer, from the remarks which I have felt it my duty to make, that I desire to see the Bill rejected; on the contrary, I wish it to undergo a fair and impartial investigation by a Committee. If the measure were merely proposed as a tempory arrangement, with any prospect of relief to the suffering portion of our fellow-subjects, I would say, "Adopt it at once;" but if it is to be taken as a portion of a free-trade policy, it may, and it must, lead to still further changes affecting the trade, and influencing the most important interests, of this country.

If, after careful investigation, Parliament shall think it best, on the whole, to pursue that course which the Government recommends, let them do so; but let it not be followed blindfold. Let not the whole matter be taken upon the mere declaration of the President of the Board of Trade. Parliament, in a case like that, is bound to call before them competent witnesses, and, by examination and cross-examination, get at the real merits of the case. The facts with which they ought to make themselves acquainted, are not to be elicited during a short discussion in this House, but by the active and continued labours of a Select Committee; and let not a permanent measure be brought forward upon grounds which ought only to be rendered available for purposes of temporary legislation. The agriculturist, the West India colonist, and the slave-owner of Cuba, are the parties principally interested; let all these, and all other parties concerned, be fairly heard, and then your Lordships can proceed to legislate with your eyes open—then you can satisfy yourselves as to the probable effect of that which you are about to do. Examine not only the officers of excise, who are honourable people undoubtedly, but make inquiries of other independent parties, and satisfy yourselves that, in passing this measure, you will not be doing mischief—that you will not be injuring the agriculturists or the colonists, under the plea of relieving temporary distress in one part of the kingdom, and under the plea of conceding as a boon to the colonists, that, which, in my opinion, will be no boon at all. But even if adopted, I fear that the measure would effect neither the one object nor the other. I can assure your Lordships that I have made these observations without any intention of opposition or hostility towards Her Majesty's Government. I invite your Lordships to refer the subject, not to a Committee of the whole House, but a Select Committee, where all the facts may be fairly and carefully investigated, and where a probable judgment may be formed of the effects of the intended plan. The noble Lord concluded by moving that the Bill be referred to a Select Committee.

Amendment *moved*—"To leave out all the words after the word 'that,' for the Purpose of inserting the Words, 'the Bill be referred to a Select Committee.'"

Earl GREY said, it was clear, from the beginning to the end of his noble Friend's speech, that the noble Lord felt that he had a very bad case, because his noble Friend had carefully avoided, throughout the whole of his speech, coming to the actual question at issue; but had resorted to the most ingenious and acute arguments upon points that had nothing whatever to do with the measure. In the beginning of his address, his noble Friend read a passage from the Queen's Speech at the opening of the Session, for the purpose of showing that this measure was announced as merely a temporary one, for the purpose of relieving a temporary distress. He (Earl Grey) had only to say, that, whatever construction the words of Her Majesty's Speech were capable of bearing, the intentions of the Government upon the subject were perfectly certain; because some explanation upon the subject was asked upon the first night of the Session; and it would be in the recollection of their Lordships that his noble Friend the President of the Council had stated that this measure for the admission of sugar into breweries and distilleries was intended to be permanent, although others of the measures were not. His noble Friend opposite had, at that time, made a comment at some length, taking objections to such a course. He admitted that the noble Lord's criticism then was perfectly correct; and even if he admitted that the noble Lord was equally correct in the conclusion he drew from the words he referred to in Her Majesty's Speech, it would only come to this after all—that the Government, in writing Her Majesty's Speech, had not shown themselves very skilful in composition. This fact would, therefore, only tend to show the truth of an observation made by the late Mr. Cobbett—namely, that the King's Speeches were not good models of the King's English, and that he would take all his examples of bad grammar from that department of literature. After his noble Friend had disposed of this portion of his argument, he observed that this measure was a link in the dangerous chain of their proceedings which he called upon their Lordships to oppose, because the doctrines of free trade could not fail to be deeply injurious to the interests of the country; and the noble Lord referred to some pledge which had been given by the Government, by which they had felt bound to bring these measures before Parliament; and the noble Lord then adverted to the course pursued by the Government of which he was a Member, in respect to the Canadian Corn Bill. The pledge given by the present Government was given openly before Parliament, precisely in the same way as that given by the late Government upon the question referred to, in the course of their discussions last year upon the introduction of the Bill for an alteration in the sugar duties in the other House. It was then stated by his right hon. Friend the Chancellor of the Exchequer and his noble Friend at the head of the Government, that, although it was impossible at that late period of the Session, to enter fully into a consideration of the whole question, no time should be lost in the endeavour of the Government to put sugar upon an equality with malt and corn used in breweries and distilleries. The noble Lord said that this pledge, however, did not bind Parliament—who said it did ? Parliament consented last year to subject British colonial sugar to unrestricted competition with that of foreign nations. When that subject was under consideration, it was argued that the measure was undoubtedly right and just in itself, but that the colonies should have a right to corresponding advantages. This argument was used, and contributed, with others, to induce them to pass the Bill that was then before them. Then, to a certain extent, the pledge was implied of removing every restriction that could prevent the use of sugar in breweries and distilleries. This, however, his noble Friend said, formed a part of a dangerous chain of their proceedings—that the Government were taking these insidious steps, first by repealing the corn laws, and then by telling the agriculturists, that, inasmuch as they obtained none of the advantages of monopoly, they ought to help the Government to get cheap sugar for the people. Now, the noble Lord might call this measure dangerous if he pleased; but at all events there had been no disguise whatever about it on the part of the Government. They began when they sat upon the other side of the House to call attention to the subject. They had never concealed their conviction that the principle of legislation they recommended for adoption was, to impose duties for the sake of the revenue, and not for the sake of protection. The principle of legislation they recommended, was not such as was calculated to divert capital from its natural channels, but simply to raise such an amount of revenue as would meet the wants of the public service. In pursuance of that pledge, even when they were on the other side of the House, they had supported the late Ministers in altering the corn laws. In pursuance of the same pledge, when they were called to the councils of their Sovereign, they asked Parliament to consent to the passing of a measure by which, in a few years, their colonial sugar would be exposed to unlimited competition with foreign sugar; and last year they had passed an Act by which the colonies would be enabled to relieve themselves from the payment of differential duties upon the importation of British produce imported into their colonies; and they had considered what ought to be done in respect to the restrictions that were imposed upon the use of sugar in breweries and distilleries. So much then for this dangerous chain, and their insidious proceedings. They had openly and boldly avowed what their plan was to be. He believed that they were pursuing but a sound system of legislation, by honestly following that system out to its legitimate consequences. His noble Friend had thought it expedient, before the question came properly under their consideration, to refer to the navigation laws, and said that they were getting the fine edge of the wedge into that sacred palladium of the country, for the purpose of ultimately destroying it. He could not help thinking that the noble Lord and his Friends had a worse opinion of the navigation laws than the Government had, inasmuch as his noble Friend thought that an impartial inquiry would decide against these laws. The noble Lord thought that the appointment of a Committee to inquire into those navigation laws would only be making a mine to blow up that ancient system, Now, if a Committee, reported these laws to be bad, he hoped that they would be destroyed; but upon that point he wished to reserve his opinion until they had obtained the report of the Committee. He, for one, would never consent to support the navigation laws upon commercial grounds. As to their operating with advantage upon their Navy, he thought that, after what had passed upon that subject, such an assumption was out of the question. But it was argued that the navigation laws were to be viewed in a different light from other cases of protection—that they were merely the means of maintaining the defences of the country safe. If that point were made out—if they were proved to be really essential for the maintenance of their commercial marine—if they were shown to be necessary for their maritime naval force—if that case was made out, he admitted that the principle of free trade did not apply to them, and that it would not be necessary to make any alteration in respect to them to ensure such. But, until the Committee had made its report, he would not venture to pronounce an opinion upon the subject. His conviction was that their navigation laws did not ensure the ends that were intended by them. The noble Lord said, in effect, that the navigation laws were so utterly bad it was impossible that a Committee could support them, the arguments against them would be so strong.

Lord STANLEY observed, that what he did say was, that he thought the Government, upon great national grounds, should have expressed a decided opinion themselves upon the subject, and that they were not a question for inquiry before a Committee.

Earl GREY would admit that the noble Lord had stated that the Government should have made up their minds upon the subject, and have given a decided opinion respecting these laws. He (Earl Grey) did not think the Government were called upon to do any such thing. The operation of the navigation laws depended upon matters of fact, which were hitherto very imperfectly ascertained. The practical operation of these laws, particularly in their colonies, was little understood by their Lordships or the public. There were facts connected with the operation of these laws in their colonies which, until lately, when they were brought under his notice, he was unacquainted with; and he firmly believed that a Committee appointed for an inquiry into them, before whom their merchants, and all other persons who were capable of forming an opinion upon the matter, could be examined, would be able to throw the most important light upon the subject. He understood his noble Friend to say that the appointment of the Committee was the introduction of the fine end of the wedge. He inferred from that that the noble Lord's meaning was, that it was to aid in destroying the navigation laws, and that he had heard something of the intent of a Committee appointed with a hostile intention, and might anticipate the result. His (Earl Grey's) noble Friend near him had at the same whispered to him that they might therefore judge what would be the result of a Select Committee, appointed to consider the Bills now actually before the House. Now, what were the grounds that were urged for the inquiry? The principle of the Bills, as he understood, was simply this, that they considered that the sugar of their own colonies ought to come into consumption for any purpose for which it was capable of being used, subject to no restriction except that which was necessarily imposed for revenue. That if it were capable of being used in breweries or distilleries, they ought, as to their revenue laws, so to manage matters as to produce no bias on the mind of the distiller or brewer, but that he should be left to use sugar or not, precisely as he would do if they were in the fortunate circumstances of not being compelled to lay on any tax at all. They did not want to go into a Select Committee to inquire whether that principle was good or not—it was a principle for that House to decide upon. But their Lordships must have observed, that his noble Friend mentioned several points for inquiry upon which his noble Friend was not very clear; for he could not help remarking, that his noble Friend had made a curious confusion between malt and raw grain, and between sugar and molasses; and at last, although he had listened most attentively, his noble Friend had got completely beyond his depth, and he was unable to follow his noble Friend's argument—in fact, there was some little confusion in the mind of his noble Friend himself. He (Earl Grey) said, that the question whether the price of sugar should suit the brewer to use sugar or not, had nothing whatever to do with this Bill: that was for the brewers or distillers themselves to determine. All that Parliament had to do was so to frame the revenue laws as not to prevent those whose business it was to manufacture, to manufacture in any manner most profitable to themselves, and most advantageous to the public. Now these measures would be of very considerable importance, not only in relation to the present scarcity, but to any future scarcity whenever it might come, by sparing the consumption of corn in breweries and distilleries, and also in periods of a very great abundance of sugar, to prevent the price falling to a ruinous sum. The tendency of these measures, as of all measures of commercial freedom, was towards an equalization of price. He believed that, as far as practical purposes were concerned, the quantity of sugar equal to a quarter of malt not less than 180 lb. And how was the question as to taxation? A quarter of malt paid a duty of 1*l.* 1*s.* 8*d.*; whilst the duty on the 180 lb. of sugar was 1*l.* 2*s.* 6*d.* So that, according to the most moderate calculation, the use of sugar would not give the smallest advantage in point of taxation. But he believed that the quantity of sugar which was more nearly equal to a quarter of malt, was 200 lb., and the duty upon that was 25*s*. That question, therefore, was so clear that it was not necessary to refer it to a Select Committee. With respect to spirits, he did not think that it had been maintained by any man, that the proposed drawback on sugar was more than was necessary in order to put the distiller from sugar on an equality with the distiller from grain; and he believed there was no reason whatever to doubt that the duties had been fairly calculated. He thought the effects of the measure would be to put sugar and grain, as fairly as it could be managed, upon an equality. Now he did not think his noble Friend had followed the usual precedent in the course he had adopted. If they appealed from any measure proposed by the Executive, the appeal should be to one of the Houses of the Legislature, and not to a Select Committee. There would be very serious inconvenience in referring the details of a measure like that before their Lordships to a Select Committee; they were much better left to be dealt with by the Chancellor of the Exchequer. The ordinary practice of Parliament was, he contended, infinitely better and fairer than the proposition of the noble Lord. The Government submitted what they believed to be upon the whole best for the interests of the public, and by that proposition they would stand. If they were to be overruled, it was not to be by a Select Committee, but by the decision of a branch of the Legislature. If his noble Friend thought the conduct of the Government wrong, or the Bill improperly drawn, let him propose one of his own, as an amendment, and they would be prepared to discuss it fairly. He had no hesitation in avowing that he was firmly persuaded the calculations of the Government were right. Their Lordships ought to bear in mind that his noble Friend wanted to go into something like a fishing committee, as to some calculations which did not appear to be quite clear to his noble Friend. The noble Lord told the Government that they were wrong, but he did not tell them what was right. He trusted their Lordships would not consent to a proposition so unusual and inconvenient. There was one observation of the noble Lord that had occasioned him so much surprise that he must be pardoned for adverting to it before he sat down. His noble Friend said—"These are supposed to be measures for the benefit of the West Indies and our colonies generally. I entirely repudiate that supposition. I will show you that it will do nothing for the colonies—that it will be no advantage to them. I will show you, on the contrary, that the measure will be altogether for the benefit of the slave sugar grower." His noble Friend had told them that the duty on foreign sugar was in the course of a progressive reduction, and that at the end of five years it would be totally extinguished and equalised. Then he said it was clear that the increased consumption which the measure of the Government would produce, would go to the benefit of that particular sugar. But he (Earl Grey) was surprised it had not struck his noble Friend, that if the present Bill had not been proposed at all, foreign sugar would be yearly reduced in duty; and there was no doubt the effect of the increased consumption of sugar would be advantageous to the colonial grower, who availed himself of the present high rate of differential duty to command the market. He believed, therefore, his noble Friend was very much in error in supposing that the great increase in the consumption of sugar would be for the benefit of the foreign slave-grower. He believed exactly the reverse would be the case. He believed the foreign slave-grower could not further reduce the price of his sugar; while he confidently believed that the British colonist could reduce it, and was at that moment adopting measures which would unquestionably reduce it. He could not help expressing his satisfaction at witnessing what had been done during the last few months in the Mauritius and the West Indies for the purpose, and the tendency on the part of the planters to exert themselves vigorously to introduce better modes of cultivation and improved machinery, with other resources, from which the slave-grower as a slave-owner was excluded, and which would inevitably increase the amount of the produce. He believed the crop now about to be forwarded from their colonies was much greater than that of the slave-growing countries, and that the increase for the last two years was most gratifying and convincing as to the result of the exertions of the colonists. In the year before last, the produce of the Mauritius was estimated at 45,000 tons; the last year it had amounted to 50,000; and the crop which was at present in the course of being saved, and the greater part of which was already safe, had been estimated both by the Governor and the colonial planters at 60,000 tons. With these facts before them, what right had their Lordships to assume that the benefit of the measure would be to the slave-grower instead of their own colonies? He repeated again, that it was his conviction that the very reverse of his noble Friend's assertion would be the case, and that the colonial planter alone would be benefited by the measure. For these reasons he confidently appealed to their Lordships to reject the Amendment of his noble Friend.

LORD ASHBURTON felt that he could not occupy a seat in their Lordships' House if he did not express his unqualified dissent to the entire course of the Legislature with respect to these subjects. His noble Friend (the Earl of Clarendon) had said, upon introducing the measure, that it was done in order to redeem a promise made, or a pledge given, to the West Indian planters. He did not recommend the adoption of any deceptive course with respect to those interests; but he did think that the subject was one into which Parliament ought to make full and deliberate inquiry. If the promise to which his noble Friend opposite had made allusion, were a promise made by Parliament, and not that of an individual Member of it, he did not think it was one which they were bound to redeem. But since allusion had been made to promises, he would ask whether no promises had been made to the barley growers of this country? Had they not been promised three or four Bills from which they were told they would derive considerable relief; and what had been heard of them? Why, with the exception of two or three, the tendency of which was rather to injure the agricultural interests than to serve them, the promised Bills had not been heard of. In point of fact, nothing had been done for the landed interests. His noble Friend had said that the real merit of the measure was, that it was a part or an extension of those free-trade measures which were lately introduced to the country; and that, moreover, it would be the means of affording relief, to a certain extent, in the present period of scarcity. Nothing could be further from his desire than to oppose any measures that might be brought forward on the part of the Government to mitigate the distress which prevailed in another portion of the kingdom; but surely, if the object were indeed to effect so desirable an end, the measure might be made of a temporary and not of a permanent character. His noble Friend said also of the navigation laws, that he was ready to listen to any proof of their advantage to our mercantile marine; but that, so far as they embraced the principle of protection, they must be given up. Now, if those laws were abandoned, we should see the Swedish and other sailors of the north, who were accustomed to a hard fare, engrossing all the coasting trade of this country, and retaining it till our own sailors could manage to live on the same low diet; and, as the consumers would benefit very little, he would ask whether for a mere difference of half, or one, or even one and a half per cent to them, the country was to carry out in trade, in shipping, and in manufactures this new rule, and whether this small advantage was to be weighed against the injury done to the large masses of the people of this country? He held the principle of free trade to be an entire misconception, and that the Legislature, while seeking to introduce it, were studying only the interest of the consumer, while they were totally regardless of the hundreds of thousands who would lose their employment, and on whom heavy injuries would be inflicted by reduction of prices. He was most anxious to have the calculations and deductions involved in the measure now under discussion, submitted to the consideration of a Committee; for if there ever was a subject fit for such consideration, or on which their Lordships might wish for information, it was precisely the present, the merits of which depended so much upon evidence and minute calculation. They ought not upon any account to hesitate sanctioning the measure as one of temporary relief; but when they were called upon to approve of measures of a permanent character, the question assumed altogether another aspect. They ought also to bear in mind the consequences of letting in an unwholesome beverage; and he believed the measure was nothing more nor less than a contrivance to give the public a spurious article made upon a different principle to that which they had been accustomed to use. It must be remembered also that the proportions between sugar and malt were taken at a time when the duty on foreign sugar was 21*s.* a cwt.; and that at the end of four years it would be only 14*s.*; so that the proportion which suited the present purpose would not hereafter be sufficient; this ought to be inquired into and settled. But there was another consideration which he hoped would not be lost sight of. If they passed this measure, they would be taking their sugar, not only from countries in which the slave trade existed, but from countries where the slave trade was carried on in its most atrocious character. This ought to be no slight consideration with their Lordships in passing a measure which would give increased impetus to the odious traffic in flesh and blood. And what advantage were the colonies, which were kept up at such an enormous expense to the mother country, if it were not to provide her with markets for her own commodities, and at the same time ensure her a supply of other commodities in exchange? There was, in his opinion, an irresistible mania in favour of free trade; but many years would not pass away before the country would awaken to a sense of its error, and acknowledge that that pernicious principle was fraught with the most injurious consequences. For his part, he could not refrain from entering his protest against the entire of that absurd and useless change from the old and approved principles of commercial legislation.

Lord MONTEAGLE said, that if he viewed the Bill as part of the chain of the measures of free trade, he would have been induced to give it more support than he was now inclined to do; but he wished to explain the vote which he was about to give, as other measures were about to be introduced, and he would be sorry that it should be misconceived. His noble Friend opposite (Lord Stanley) had not argued the question of the temporary or permanent nature of the measure as a subject for a Committee, but had put it upon other grounds, which, if made out, would have afforded perfect justification for his Amendment. He (Lord Monteagle) held that if a case had been made out by noble Lords opposite, it was a legitimate subject for a Committee. Upon former occasions, when it appeared to their House that a fitting case was made out, Committees were appointed; for instance, the malt tax and the question of the drawback on malt had been made the subject of such inquiry. He would not argue the case as being an improper subject for parliamentary interference, but what he would submit to the noble Lord who had moved the Amendment was, whether it had not been demonstrated by the arguments on both sides, that the matter was scarcely worthy of inquiry? He believed the effect either upon the colonies or upon the barley-growers at home, would be infinitesimal. If it were intended as a measure of relief, it was a very small one; and in any case he did not think the subject worthy of the time it took in discussing. It reminded him strongly of a parliamentary representation of "*Much Ado about Nothing.*" When they came to discuss the question of reducing the duty on rum, he would support any Motion that might be made for an inquiry into the subject; but he would be sorry, in giving his vote to-night in favour of the measure at present submitted for their consideration, to be precluded from voting for an inquiry into the other question; inasmuch as he considered the Irish and Scotch distilleries had made out a very good case against the Bill.

The Duke of RICHMOND said, it had not been his intention, in rising upon the previous occasion, to trouble their Lordships with any lengthened observations; but he was now glad he had given way to the noble Lord who had just down. His noble Friend had said the matter was one of very little importance—indeed not worthy of an inquiry; but if such were really the case, and that the measure would have no possible effect one way or the other, he thought that circumstance was an additional reason for inquiry; for he considered nothing could be more dangerous, or more likely to lead to mischief, than the passing of measures which the very projectors of them admitted could not be of any service to any one. But he contended that the present case was a subject for a Committee, inasmuch as there existed a great diffence of opinion with respect to the figures stated by his noble Friend. His noble Friend near him (Lord Ashburton) had urged the necessity which existed for a Committee, upon the ground that there was a Bill about to be brought into their Lordships' House involving questions of figures, and that he was anxious for an inquiry into the subject, because he knew the figures were wrong. Now, did not the two Bills come from the same shop? and had they not a right, as they came from the same place, to suppose that the noble Lord near him was right, and that the noble Lord the President of the Board of Trade was wrong? It was the bounden duty of those of their Lordships who were unfortunately beaten last year, upon the question of those free-trade measures, which he hoped were fast disappearing from among the reflective class of the community, to cause an inquiry to be made into the tendency of the proposed measure now under consideration. They last year suffered a defeat from circumstances of which he would not then remind them; but, since they had now the open and manly declaration of his noble Friends at present in the Government—and he owned he preferred much a manly and candid opponent to an insidious and deceitful enemy—it was a duty they owed to the agricultural interests not to allow any Bill to pass through their House, without inquiring into the details, and, if possible, preventing those agricultural interests from being again deceived. He did not mean to convey that he thought his hon. Friend opposite (the Earl of Clarendon) had wilfully made an error; but he could not help saying he thought he was deceived. There was, however, one judicious part of the noble Lord's speech, in which he entirely agreed. He agreed with the noble Lord it was highly important that the people should have a cheap and wholesome beverage; and he would tell the noble Lord that to get good and cheap beer, the way to do it would be to get rid of the malt tax. It was no prejudice in the labourers of the country that they liked to have their beer made of good malt and hops. But what was the stuff they were going to give them, even according to the evidence of one of their own friends, a partner in the house of Whitbread and Co., the brewers? He would read an extract from the evidence of that gentleman, taken in Committee:—

> "You have some experience of sugar as applicable to brewing purposes?—I have.
>
> "What kind of beer was undertaken at your brewery?—We thought it right to separate all the strong sugar, and we made a very fair trial. Our object was to buy the strongest sugar, but we found it so indifferent that it was an experiment and no experiment.
>
> "You did brew some?—Yes.
>
> "Was it good?—No, very bad, though we brewed in the best seasons, and took all necessary precautions to make the article good. This was in 1807, when malt was enormously dear."

The Government would then go to the hustings and say, "We proposed to give you cheap bread, but you have not yet got it—and now we promise to give you cheap beer." And some unfortunate fellow would taste the bad beer, and find himself half poisoned, and that the Government had again deceived him. The truth was, that Parliament passed these measures without sufficient inquiry; and then could they expect in another year the country would pay the slightest respect to the decisions of Parliament? He certainly did not oppose this measure, and he should not vote for a Select Committee with a view of defeating it. He was sure the noble Lord (the Marquess of Lansdowne) would do the Opposition the credit to believe them when they said their real object was not to get rid of the Bill; and if his noble Friend (Lord Stanley), on the appointment of a Select Committee, should not prove the case he had stated that night, he (the Duke of Richmond), for one, certainly would not vote against the Bill. He should, however, like to know that by voting for it he was not poisoning half the population of the country. Every speaker who had addressed the House in behalf of the Bill, had agreed that it would do little or no good at all, as far as relieving the present distress was concerned; and as it was probable that some of the other remedial measures would be put off until the 6th of March, surely there could be no great harm if this, the least beneficial of these measures, were delayed for two or three days or a week. He had always been an advocate for inquiry, when it did not unsettle for a length of time any great branch of trade, manufactures, or agriculture; it satisfied the public mind, and was in every way advantageous. The advocates of this Select Committee did not say, as the mover and seconder of the Committee of Inquiry into the Navigation Laws in the other House did, that they were hostile to it. They were not hostile to this Bill, yet the Government refused them an inquiry, and at the same time granted an inquiry to a set of free-traders, who wished to destroy the navigation laws of this country, and thereby render England a secondary power amongst the maritime nations of the world. He warmly concurred in the Amendment of his noble Friend.

Lord BEAUMONT agreed with most of the Peers who had addressed the House, that the Bill could not produce much good, and he believed, at the same time, that it could do no harm whatever. Every argument that had been adduced, had gone to show that it would injure no interest whatever; and the most conclusive speech against the necessity of an inquiry had been that of the noble Lord who had asked for a Select Committee. He believed that the introduction of sugar into breweries, would cause the consumption of inferior sorts of barley, which now could not find a market for malting purposes, and thus it would benefit the barley grower. The evidence taken before the Committee which sat on the burdens of land, showed that only the finest qualities could be sold for malting, and, therefore, the using of the inferior sorts by the admixture of sugar was an undoubted benefit to agriculture. This Bill was a consequence of the recent free-trade measures; and he always had maintained that when Parliament made so great a step in that direction by repealing the corn laws, it would be an injustice to stop short the course of free trade. If they adopted a principle, they were bound to carry it out; and he felt certain it must be carried out to the fullest extent with respect to manufactures as well as agricultural produce. He was certain that as soon as the state of the revenue would permit, the Government must take into consideration the malt duties. Those duties were a great burden on land; it would be a great injustice not to revise them now that Parliament had destroyed that protection which was a sort of compensation for those burdens.

The Marquess of SALISBURY remarked that although the Committee for inquiring into the burdens on land had made some inquiries as to the effect of the malt duties, its existence was cut short before those inquiries were completed. He had not observed that the noble Marquess, the President of the Board of Trade, or any of the speakers in favour of the Bill, had touched upon the important question of the introduction of sugar in reference to the malt tax. He had no doubt malt could be produced at a much cheaper rate if it were not subject to the excise regulations. There was evidently a vast difference of opinion as to matters of fact, and he thought a sufficient case had been made out for a Select Committee.

Lord REDESDALE had heard this called a measure of free trade; but he held that the principles involved in the Bill were contradictory to the principle of free trade, and brought to bear against the home producer in a manner as injurious as well could be devised. In certain circumstances the Bill, instead of promoting free trade, would operate as a prohibition against the British producer of barley. The duty on sugar was to be remitted, in order to enable it to come into competition with barley; but since the duty on malt was to remain, it would amount to a prohibition of that British produce when it raised the price of that article to a certain amount as compared with sugar.

The Marquess of WESTMEATH would vote against the Amendment, because he could not offer any discouragement to the Government under the difficult circumstances in which they were placed.

On Question, that the words proposed to be left out stand part of the Motion, House divided:—Contents 35; Not-Contents 27: Majority 8.

List of the CONTENTS.

DUKE.
Norfolk
MARQUESSES.
Lansdowne
Sligo
Westmeath
Clanricarde
EARLS.
Clarendon
Auckland
Radnor
Fitzwilliam
Waldegrave
Minto
Grey
Uxbridge
Spencer
Fortescue
Granville
Shaftesbury
VISCOUNTS.
Falkland
Massareene
LORDS.
Campbell
Strafford
Cottenham
Montfort
Beaumont
Foley
Byron
De Mauley
Audley
Camoys
Beauvale
Crewe
Lilford
Vivian
BISHOPS.
Hereford
St. Asaph

List of the NON-CONTENTS.

DUKES.
Richmond
Buckingham
Montrose
MARQUESS.
Salisbury
EARLS.
Hardwicke
Ranfurley
Warwick
Eglintoun
Somers
Nelson
Cardigan
Orkney
Charleville
Stradbroke
Mountcashel
VISCOUNTS.
Canterbury
Strangford
Gage
LORDS.
Stanley
Boston
Redesdale
Wynford
Colchester
Feversham
Tenterden
Grantley
Monteagle

Paired off.

CONTENT.	NOT-CONTENT.
Portman	Brougham
Norwich	Tankerville
Colborne	Walsingham

Resolved in the *Affirmative.*

House in Committee accordingly. Bill *reported* without Amendment.

The House then went into Committee on the Distilling from Sugar Bill, which was *reported* without Amendment.

House adjourned.

HOUSE OF COMMONS,

Friday, February 19, 1847.

Minutes.] Public Bills.—1° Markets and Fairs Clauses; Public Undertakings Clauses; Gas Works Clauses; Waterworks Clauses.

2° Factories.

Petitions Presented. By Captain Pechell, from Brighton, for Alteration of Law respecting the Registration of Voters.—By Mr. John O'Connell, from Roman Catholic Archbishops and Bishops of Ireland, for Alteration of Marriage Law (Ireland).—By Mr. John O'Connell, from Ireland, for Removal of Disabilities as regards the Roman Catholic Regular Clergy (Ireland).—By Mr. Hawes, from Lambeth, and Mr. Ald. Humphery, from Southwark, for Inquiry respecting the Rajah of Sattara.—By Mr. S. Crawford, from Cumberland, and Sir W. Somerville, from Drogheda, against the Use of Grain in Breweries and Distilleries.—By Mr. M. Philips, from Manchester, for Repeal of the Duties on Butter and Cheese.—By Mr. Pattison, and other Hon. Members, from Shipowners of several places, for Reduction of Lighthouse Dues.—By Sir W. Somerville, from Drogheda, against the Proposed Alteration of the Duty on Rum.—By Sir T. Esmonde, from Wexford, for Alteration of the Poor Law (Ireland).—By Mr. Hutt, from Guardians of the Gateshead Union, for Alteration of the Poor Law (Ireland and Scotland).—By Sir C. Coote, from Guardians of the Mount Mellick Union, against the Poor Relief (Ireland) Bill, and by Mr. Stanton, from Guardians of the Stroud Union, in Favour of the same.—By several Hon. Members, from a great many places, for Repeal or Alteration of the Poor Removal Act.—By Mr. Blackburne, from Lancaster, in Favour of the Ports, Harbours, &c. Bill (1846).—By Mr. Beckett, from Leeds, for the Suppression of Promiscuous Intercourse.—By Mr. Corbally, from County of Meath, in Favour of the Railways (Ireland) Bill.—By Mr. M. Gibson, and Sir R. Peel, from Manchester, against laying the Burden on the Revenue for the Relief of Ireland.—By Lord Brooke, Mr. W. Ellis, and Lord Rendlesham, from several places, for Alteration of the Law of Settlement.—By Sir R. Peel, from Robert Falk, of Winsford Lodge, Chester, respecting certain Losses in the East India Salt Trade.—By Mr. Barkly, from Inhabitants of British Guiana, and Mr. Pattison, from Merchants of London, against the Proposed Measures respecting Sugar and Rum.—By Mr. Aldam, from Leeds, and Mr. B. Smith, from Norwich, for Repeal or Reduction of Duty on Tea.—By Mr. Ferrand, from Bradford, for Inquiry respecting the Anatomy Act.—By Mr. Muntz, from John and James Aldan, Shipowners, of London, complaining of the Seizure of the *Black Cat* Schooner.—By Mr. Williams, from Pembroke, respecting the Use of the Welsh Language in the County Courts of Wales.—By Sir W. Somerville, from Preston, and Glasgow, in Favour of the Ten Hours Factory Bill.—By Mr. J. O'Connell, from Landed Proprietors, Merchants, and others, resident in Ireland, for Relief of the Destitute Poor (Ireland).—By Major Macnamara, from Ennis, for Facilitating the Transportation of Grain and Provisions to Ireland.—By Mr. O. Gore, from Irish Waste Land Improvement Society, for Alteration of the Landed Property (Ireland) Bill.—By Mr. V. Stuart, from Waterford, respecting the Municipal Corporations (Ireland) Act.

BERBICE—ALLEGED MISCONDUCT.

Mr. GRANTLEY BERKELEY begged to call the attention of the Under Secretary for the Colonies to a transaction which he had seen described in a Berbice paper, and which seemed to call for some notice on the part of the Government. The facts of the case, as stated in the *Berbice Gazette* of the 10th of December last, were shortly these:—

> "The Rev. Mr. Bell, the Presbyterian chaplain to the gaol, and the Rev. Mr. Johnstone, attended an African convict under sentence of death, named Panzo; these rev. gentlemen having failed to make any religious impression, a Catholic priest, the Rev. Mr. Kelly, was solicited to try if his attendance would avail the man in his last moments for the preparation of death. On the morning appointed for the execution, Mr. Kelly had access to the man, and succeeded in eliciting from him a desire to receive the ceremony of baptism. The wish of the criminal being communicated by Mr. Kelly to the gaoler, Van Cooten, Van Cooten refused to permit Mr. Kelly to officiate without an order from Mr. Bell, the chaplain of the gaol. A message was sent to Mr. Bell, who immediately repaired to the spot, and rudely and unceremoniously refused to permit Mr. Kelly to fulfil the sacred office, or to permit any other minister to do so, at Mr. Kelly's entreaty; Mr. Bell pleading as a reason for his refusal, that Mr. Kelly had come 'too late.' Mr. Kelly then hastened to Mr. Sheriff Winfield's residence, the execution not having then taken place, who also refused to interfere, because Mr. Kelly was 'late in his application;' and although there was ample time to have administered some of the comforts of religion to the dying man; and though Mr. Kelly urged that it was not too late, even at the eleventh hour, to officiate, the mandate of the law was put in force, and the consolation of religion denied to this victim of sectarian jealousy."

He regretted that he had too much reason to believe in the truth of the report; and therefore he begged to know whether Her Majesty's Government were cognizant of the circumstance, or if not cognizant of it, if they would institute an inquiry?

Mr. HAWES stated, that no information relative to the circumstance described by the hon. Member had been received by the Government.

THE FOREST OF DEAN.

Mr. G. BERKELEY, seeing his right hon. Friend the Secretary for the Home Department in his place, begged to bring a circumstance under his knowledge, and to ask a question on it of considerable importance to a great portion of his constituents. It appeared that, some time since, a Mr. Cook, resident at Gloucester, was appointed coroner for the district comprising the Forest of Dean. This officer resided fifteen miles from the nearest point of his duty. A change was subsequently made, and Mr. Cook was appointed to another district, comprising the town of Cheltenham; and a Mr. Barnet, resident at Cheltenham, was appointed to the district comprising the Forest of Dean. This placed the coroner still further from his duties, and made the nearest point at which he could be reached from the forest about twenty-eight miles. Now, when it was known that the forest was a mining district, where accidents might be said to be rife, such a distance from the coroner was of considerable disadvantage; the more so, from a superstitious feeling among the working classes, as to not labouring in a mine where an accident had happened while the body lay unburied. He (Mr. Berkeley) had been told of instances of five days' delay of an inquest, during which time no work was done, creating much loss to both the employer and the employed. He therefore wished to know from his right hon. Friend in which way the grievance was to be remedied, as it was one exciting considerable attention in the forest district?

Sir G. GREY was not prepared to say. He apprehended that it was not within the province of the Government to interfere directly in such a matter.

IRELAND—IMPORTATION OF FLAXSEED.

Mr. FORSTER said, that much excitement prevailed amongst individuals engaged in the flaxseed trade, in consequence of a current report, that Her Majesty's Government were making purchases of flaxseed for the purpose of importing it into Ireland. He wished to know if that report was well founded, and if so, what were the intentions of Government with reference to the subject? It must be obvious, that if the Government entered the market as a dealer, it would materially affect private enterprise. In proof of this, he would read an extract from a letter which he had received from Limerick:—

> "We should feel extremely obliged if you would ascertain for us, distinctly, the intention of Government with respect to the article of flaxseed this season, in the Limerick market. We have information that flaxseed has already arrived here for Government account; and we have reason to believe that the regular importers of this article (our firm being among the number) will suspend all operations until the Government measures be made known."

The writers withdrew their flaxseed order from their seed broker when they heard of the arrivals to Government in Limerick, as it was scarcely to be expected that merchants would expose themselves to competition with Government.

Mr. LABOUCHERE requested permission to state the grounds on which the Government thought they were justified in introducing, to a limited extent, flaxseed into Ireland. Representations were made to the Government, that though the soil and climate of the southern part of Ireland were peculiarly favourable to the cultivation of flax, hardly an attempt had been made to cultivate it there. It was thought desirable that in the present circumstances of the country, a well-conducted attempt should be made to introduce the culture of flax into that part of the island; but it was represented that none but American flaxseed of an inferior description could be obtained, and the aid of Government was solicited to procure seed of a better kind. Under these circumstances, the Government undertook to import some flaxseed of the best description into the south of Ireland. The quantity was small, namely, 600 bushels; and it was not intended to import any more. As a general rule, it must be admitted that such proceedings on the part of Government could only disturb private enterprise. Still, under the peculiar circumstances of the time, the Government thought they were justified in making this exception, with a view to encourage the cultivation of flax in the south of Ireland.

WEST INDIES—IMMIGRATION.

Mr. BARKLY wished to know when the Government would be prepared to carry into execution their intended plan for establishing steam communication between the west coast of Africa and the West Indies, for the purpose of facilitating the emigration of free labourers?

Mr. HAWES said, that not a long time would elapse before a steam vessel would be prepared to enter on the service for which she was destined. All parties were agreed that the West Indian colonies were greatly in want of labourers; and the proprietors had frequently applied to the Legislature and the Government to afford them facilities for the introduction of labourers. Immigration from the East Indies had been tried, but it was found to be too costly to be continued; and therefore Government had thought it right to furnish facilities for a cheaper supply of labour to the West Indies. For this purpose a steam-boat, fitted up under the authority of the Government, and carrying out engineers appointed by the Government, was about to proceed to the west coast of Africa—the Kroo coast—where slavery did not exist. Labourers from that coast at present in the West Indies had expressed a wish to be sent there, in order that they might persuade their fellow-countrymen to emigrate tó the West

Indies, to obtain the wages which were given to labourers there. He wished it to be distinctly understood that this project was merely in the nature of an experiment; it would be conducted under the immediate superintendence of the Government; and, at present, it was not intended to extend beyond the period of one year, by which time it would be ascertained whether voluntary emigration was likely to take place from Africa. [MR. BARKLY: What is the name of the vessel?] The *Scourge.*

TENANTS IN TAIL.

MR. FERRAND, seeing the Attorney General in his place, begged to remind him, that he had formerly complained in that House of the injustice which he had suffered, as a tenant in tail of property in Yorkshire, from the proceedings of railroad companies; he now wished to know whether it was intended to introduce into the Railway Clauses Consolidation Bill any provision to prevent injustice being done to tenants in tail?

The ATTORNEY GENERAL said, that the law upon the subject to which the hon. Member referred, was involved in so much doubt, that he must take time to consider before he could give an answer.

WEDNESDAY SITTINGS.

MR. HUME wished to ask the Speaker a question for the information of the House as to the adjournments at the Wednesday sittings. During the last Session and the present, an order of the House directed the Speaker to leave the chair exactly as the clock struck six, without any Motion of adjournment; after that hour no Member was allowed to address the House. Now, he understood that on Wednesday last a report was made to the House after six o'clock; the matter ought to be clearly understood, because if they could deviate from the rule by five minutes, there was no reason why they should not by fifty. The time for the adjournment might unfortunately arrive in the middle of a division; and the question was, what the rule should be?

MR. SPEAKER: The hon. Member is quite right in stating it to be the rule of the House, that the Speaker shall leave the chair at six o'clock without any question being put; but the adjournment cannot take place during a division, as at that time the doors of the House are locked, and cannot be opened till the Speaker has been reported in the chair. Therefore it is necessary for the numbers of the division to be reported to me before I can obey the order of the House.

BRITISH MUSEUM.

MR. HUME wished to ask if Government intended to institute any inquiry into the constitution of the trustees of the British Museum? They were a self-elected body; an election, he understood, had been held that day; and he had heard that the departments of natural history and science had not been properly represented in that election. He thought they ought not to go on voting 40,000*l.* or 50,000*l.* a year to a self-elected body without some investigation. Did the Government intend to make any such inquiry?

LORD J. RUSSELL said, it was a question if certain improvements might not be made; but whether a Committee of inquiry should be appointed, was a matter for mature consideration.

EXPLANATION.

On the Order of the Day for going into Committee on the Labouring Poor (Ireland) Bill having been read,

MR. H. J. BAILLIE said, he had to ask leave of the House to say a few words as to the remarks of the noble Lord the Member for Lynn on what had fallen from him on a former occasion. He was represented by the noble Lord the Member for Lynn to have stated, that as a Scotch representative he would not vote public money for the relief of Irish distress; and the noble Lord said, that on the part of Scotland he repudiated such language. He also repudiated it as strongly as any one in that House could; but when he objected to vote 16,000,000*l.* for the purpose of making railways in Ireland, he stated, at the same time, that it was his wish to improve the condition of Ireland, and to give every facility to the landlords of Ireland to improve their estates, and improve the condition of the people by making them accustomed to better food. But the noble Lord was not satisfied with misrepresenting him. The noble Lord thought it worth his while to tell the House, he (Mr. Baillie) was not a Scotchman. He knew not if the noble Lord's railway information were better founded than that statement; but he hoped it was, or it would be very inaccurate. Whether it were an honour to be a Scotchman or not, was a matter of opinion; but he could tell the noble Lord that his family owned the property that now belonged to him in Scotland, long before the family of the noble Lord owned an acre of land in England. He had only to assure the representatives of Ireland, that he was ready to give his support, not only to the measure before them that evening, but to any measure Government might bring forward, whether for public loans or grants of money, which he might think calculated to relieve the distress which prevailed to such a fearful extent in Ireland.

IRELAND—DESTITUTION.

Mr. R. D. BROWNE rose to call the attention of the House to the fearful accounts of destitution which reached him every day from Ireland, and more particularly from the county he had the honour to represent. He thought it only his duty to acquaint the House with these facts, which called for the immediate prompt interference of Parliament. A fortnight ago the hon. Member for Cork (Mr. O'Connell) stated the deaths in Ireland to amount to 15,000 a day, and that statement had been fully borne out by the accounts from that country: it appeared that 500 persons were dying each day of hunger. The hard-worked priests could not relieve them—multitudes died on the road side—their corpses were mutilated by rats, or they dragged their weary limbs into the poorhouses, that their bodies might not be desecrated by uncoffined burial. He would, with the permission of the House, read some horrible extracts from the local papers:—

[FROM THE FREEMAN'S JOURNAL, FEB. 18.]

"We had intended to run through the individual inquests, but our space forbids us. A few, however, will show the utter ruin and wretchedness of the unhappy people. In No. 4, one poor woman swore that her dead husband and perishing children 'had no breakfast since the harvest.' A constable entered the hovel, and on entering 'saw a coffin before him on the floor.' He asked whose it was, and the mother went, removed the lid, and said it was the corpse of her child. Miserable mother! In No. 5, an occasional spoonful of gruel was the food of six persons for several weeks. No. 7, a young man died in the workhouse three hours after admission. He came for a coffin and a Christian burial. No. 8, the wife saw her husband leave her home on Monday to go to the public works, ten miles distant; next day she saw him dead in the fields! No. 11, a farmer related that the man placed his hand on the latch of his door, 'which he was unable to lift.' A servant opened it, when the wretched creature fell back and instantly expired! At these inquests Mr. White stated that the last bill for coffins against the unions, furnished the day before, was 671!'"

"Riverstown, 8th. Feb.

"Sir—Half-a-dozen starvation deaths have been reported to Mr. Grant this evening, and he directs me to write to request you will attend here early to-morrow morning to hold inquests.

"James Hay, Head Constable.

"Alexander Burrows, Esq."

"We have just seen one of the coroners, Alexander Burrows, Esq., and it is with the deepest anguish we announce that matters are much worse than they are described in the above paragraph; although he knocked up three horses, he was only able to hold five inquests yesterday; he will resume his awful duties to-day (Saturday). There were forty dead bodies in the district of Maugharow, kept waiting for the coroner. The following are the names of five persons upon whose bodies Mr. Burrows held inquests: Yesterday, John Hagerty, Mary M'Guinnes, Mary Conway, Brian Nolin, and Mary Costello. These deaths all occurred in the parish of Drumcliffe, up to the 10th instant. In the four first cases the verdicts were —'died of starvation.' The facts of the last case are particularly touching. The family of Mary Costello were in a starving state for the last three weeks, the deceased had not any food for two days previous to her death, one of her brothers procured the price of half a stone of meal, for which she was sent to town; on the following morning she was found dead by the road side, with the little bag of meal grasped tightly in her hand. The verdict in this instance was—'died from exposure to cold, and previous want of the necessaries of life.' In our last we accidentally omitted one inquest held upon the body of a man named Owen Mulroony, who died at Cloneen, of starvation, on the 3rd instant. We will publish the substance of the evidence given before the coroner to show the nature of the disclosures made at these awful and hitherto unheard-of investigations."

[FROM THE GALWAY MERCURY.]

"More Deaths from Starvation.—On Monday last an inquest was held by Mr. Perrin, deputy coroner, on view of the body of a poor man named Daniel Lee, said to be a native of Moycullen, who was found dead at Mervale, in the county of the town of Galway. The remains of the unfortunate deceased presented the most emaciated appearance, and bore evident marks of the greatest destitution and wo. The jury returned a verdict that the deceased had died for want of the common necessaries of life.

"A poor man employed on the public works at the village of Killibane, near Tuam, dropped down from utter exhaustion a few days since. He had been endeavouring to support a wife and large family on his scanty earnings; but that being insufficient to procure a sufficient supply of food, his feeble frame sunk beneath the effort, and though every assistance was at once afforded, his spirit winged its way to another and a better world."

"TO THE EDITOR OF THE FREEMAN.

(From Mr. M'Manus, P.P.; Mr. Fitzpatrick, R.C.C.; and Mr. M'Hale, R.C.C.)

"Lainsburgh, Feb. 13, 1847.

"Dear Sir—So incessantly occupied have we been for the last few weeks, both in preparing for eternity and in consigning to the grave the victims of starvation, that we had not time to put their number on public record. Since the 1st of January, the number that perished by hunger in this parish exceeds sixty—there is scarcely a house or cabin that is not the abode of disease and death. In solemn truth, if we even had time for writing a public communication, our hearts have been so unnerved by the magnitude of the calamity, and its numerous harrowing results, that feelings bordering on despair of being able to procure anything like adequate relief, have almost supplanted our humble capability of making any other effort save that of attending to the spiritual wants of the starving people committed to our charge. We have neither rest nor respite by day or by night. Look to the extent of this district, and consider the vastness of the population, numbering twelve thousand souls, scattered over a surface of mountain and sea-coast, upwards of fifty miles in circumference, and you can easily conceive how incessantly three priests must be engaged. Mark, too, that there are not thirty families of this large population that have not fallen into the calamity, for the holdings throughout the length and breadth of the parish do not exceed on an average two acres and a half of arable land; in truth, our people were all of the cottier class, depending entirely upon the potato for their staple food."

[FROM THE MAYO CONSTITUTION.]

"We, with much regret and feelings of horror, have to lay before our readers the details of the deaths of so many of our fellow-creatures, who have been the victims of disease and hunger during the past week. In the neighbourhood of Newport, on Sunday morning last, a poor man named Molloy was found on the road side. His emaciated frame betokened that his death was the result of want. He was a native of Burrishoole. On Friday last a poor man died at Deradda, near Newport, of actual hunger, leaving a family to follow in rapid succession. In the neighbourhood of Breaffy, near this town, the following deaths have occurred from starvation and disease: Michael M'Enally, of Roemon, on the 12th; Peter Swords, of Derrinacrishan, on the 12th; his wife, on the 13th; James Gavan, of Ballyshawn, on the 8th; his wife on the 12th. All these cases proceeded from dysentery and exhaustion. On Sunday, the 7th instant, Mr. Atkinson, coroner, held an inquest on the body of Patrick Maughan, at Doonanarrow. The deceased has a family, who are in the most indigent state. The verdict was —death by starvation. In this village there is not a family that do not appear likely to fall victims to famine! On same day, on the body of James Brislane, at Kilcrimmin. The deceased was put on the public works, a few days previous to his death, and was hastening on Saturday evening to the office of the pay-clerks, but being very weak from want of food he fell on the way, and was found dead next morning. Verdict—death by starvation. On Monday the 8th, on the body of Pat Howley, at Saltfield. The deceased was employed on the public works, and was found lying on the road where he had fallen, by a person passing by, when removed to the nearest habitation he died shortly after. Verdict—death by starvation. On the same day on the body of William Sheridan, at Cloonta. The deceased had been in a state of great destitution, and going from one village to another he fell into a small rivulet which he attempted to cross, and from his debility was unable to extricate himself. Verdict—death by drowning, but attributed to starvation. This coroner states, that there were twelve more inquests reported in his district; but which, from indisposition, he has been unable to attend. During the past week Mr. O'Grady, coroner, held inquests on the following persons: Anne Philbin, Pat Hannon, Francis Gannon, Jordan Morrisroe, Anne Teatum, Patrick Carey, Thomas Costelloe, Constantine Mullen, John Mulloy, Bridget Mulloy. In each of these cases the verdict returned was—death from starvation."

As an Irish representative, he could not remain silent when scenes, such as those he had described, were witnessed in his country; and he entreated the Government to take measures to supply immediate and effective relief to the destitute people. The House could not doubt the existence of the distress, and he warned them of the consequences, if by delay and inactivity they permitted the people to perish; let them recollect, to use the words of the Irish poet, that—

"A bold peasantry, their country's pride,
When once destroyed can never be supplied."

Mr. LEFROY regretted that Her Majesty's Ministers had thought it advisable to postpone, even for a single day, or to delay for a single hour, the measures which had been announced as destined to afford succour and relief to the unfortunate people of Ireland. It was of the utmost importance the Irish Members should not be detained from their post of duty, in the present crisis; their presence was required in Ireland, and before the sufferings, which he could assure the House had not been exaggerated in the description, their absence only added to the evil. While he bore testimony to the correctness of the statements read to the House, he did not wish to be understood as casting the slightest degree of blame on the Government. He admitted their intentions were most benevolent, and their efforts most praiseworthy; but when famine was abroad, it was impossible for any Irish Member to sit in that House, night after night, without manifesting some impatience and some desire for greater speed in their legislation. He begged to read some extracts from letters, received recently, containing the most afflicting statements of the condition of the peasantry in Roscommon:—

"You will perceive we are getting worse, when I tell you that the clergyman's horse near this, having died from overwork on parish duty, on Saturday last, four men insisted upon carrying it off to cut up and eat the remains. He was greatly shocked, as you will suppose; but what could he do? He feeds his own family on brown bread, and has given up sugar, to assist as far as he can by this saving. His family are constantly employed in supplying meal, rice, and soup, to great numbers of the destitute who have nothing

> to eat the days they don't come to them. A member of his family was much rejoiced by receiving 20*l.* to help her soup-kitchen, from Mr. Forster, the kindhearted Quaker. The distress will continue for many months; and I trust additional help will come, and indeed it should and must be distributed with economy, to effect much good. Six persons here died in houses close to each other and near to this, on Friday last. The few resident gentry make soup, and do what they can, but they cannot reach to half the extent of help required. In one of the houses my informant saw a boy who had been dead four days, for whose remains his mother was looking out for a coffin; and her other son was so near death from exhaustion, that he could not swallow a drink which was brought to him."

In this neighbourhood the landlord was a constant resident, had expended for forty years past his whole income there, employed and fed some hundred persons daily, and was now not even receiving his fair and reasonable rents. This was another description of the present condition of the counties of Roscommon and Longford:—

> "I consider this part of the county is in a ruinous state, the land being totally neglected. If men are not immediately encouraged to sow their lands, we shall be still worse off next year."

He denied altogether the assumption that the great misery prevailing in some districts, was the consequence of the neglect of the landlords as a body. Some landlords had undoubtedly committed great faults; but in his opinion the resident landlords generally were doing their duty. Cases of distress and starvation had occurred even in places where the landed proprietors were making the most energetic exertions, where they were expending their entire incomes in aiding those in want and in providing employment; and, this being so, how much greater and how much more severe must be the destitution in those places where the landlord did not reside, where the benefit of his means and influence was not felt? He called upon the Government to consider if their measures for temporary relief were adequate to the accomplishment of the purpose in view, and if they were doing wisely in at once withdrawing, from the hundreds of thousands who otherwise would starve, that employment which had been found on the public works. He trusted they would also increase the fund to be granted for the purchase of seed; he asked them to remember how the horrors of the situation of the Irish people would be multiplied if they were next year to be left without the means of further support. It was useless for hon. Members to censure the conduct of the landlords. Many of them were now powerless, unable to collect their rents, and, therefore, altogether incapable of assuming that function which could only be properly exercised by the Government. In the indiscriminate and unfounded vituperation, some distinction should be made between those who were and those who were not doing their duty. The resident landlords, who spent all their wealth and endangered their lives in the country, were held up for execration; while those who were absentees, and who drained Ireland of her lifeblood, escaped attack and evaded punishment.

SIR B. HALL could assure the House and the hon. Gentleman who had just sat down, that the observations made by him on a previous evening in reference to the conduct of the Irish landlords generally, were founded on data of undoubted authenticity and on fact, and that, consequently, he had now not one charge to retract or one word to unsay. The hon. Gentleman was perhaps right in stating, that at this moment the landlords were well disposed to second the efforts of the Government, and would evince that charity which became their position, if they could succeed in collecting their rents. He granted that the rents were not well paid; but when they were well paid last year—when the calamity they had since suffered from was predicted—why was not some provision made for the danger? why was not some exertion used to avert the event? The Irish Members, however, would probably shelter themselves under those two assertions so repeatedly heard in an Irish debate: first, that all the evils of Ireland resulted from the Union; and, secondly, that an English Member could not possibly know anything about the matter. There were many gentlemen in Ireland who were not landlords, and who yet contrived, having formed themselves into an association, to collect great rents. He would ask, what assistance had those rent collectors given to the distressed people? The hon. Gentleman (Mr. D. Browne) had told them of the dreadful state of Mayo; but he had not been able to inform them that the money obtained by this association in the shape of "rent" from that county, had been applied to the relief of the people. It was an anomaly most remarkable, that Members of that House, who were also cognizant of and participators in the proceedings of the association, could rise and call upon Government to supply food to the poor, when they themselves applied not one farthing of their vast funds to that object. They appointed functionaries, whom they called "wardens," in the different districts, not to distribute relief, but to collect funds, afterwards to be placed in that exchequer in Dublin which was filled with the contribution of a people at the point of famine. From April in last year, to the first month in this year, many thousand pounds had been subscribed to the funds of the Repeal Association. Why, he asked, was this money drawn from the people? and why, having been drawn, was not some portion of it refunded in a time of unprecedented distress? [An Hon. MEMBER: We deny the fact.] Was it denied there was this distress? that there was starvation at Skibbereen, and suffering throughout Ireland? If the Irish Members now, after all that had been said, denied these facts, and that these funds had been received by the association, certainly they must be allowed to be the most extraordinary people in the world. It was quite as extraordinary to hear hon. Members get up and contest the liberality of the English nation. Subscriptions were being raised in every quarter: men and women of every class were subscribing: and that, therefore, was not the time for the representatives of Ireland to keep alive bad feeling in their own country, or to check generosity here by taunts and aspersions of the most unjust character.

SIR W. VERNER would go the whole length with the hon. Gentleman who had just sat down, in what he had said with reference to the collection of the funds to which he had referred from many parties in Ireland, and particularly from the starving people of that country; and, he would add, what was deeply to be regretted, that he believed the unfortunate people had no option whatever in the matter, but that it was compulsory upon them to make those payments. There was one subject to which he would shortly direct the attention of the House, as it was one of the very greatest importance, and had been, he believed, the chief cause which had led to the present state of that country—he meant the subletting of land, or, more properly speaking, the cutting it up into shreds and patches, known by the name of the conacre system. He did not believe the House had any idea of the extent to which this system was carried in Ireland. They were told that this state of matters was originated by the former proprietors of the land, and that present landlords were only suffering from the misconduct of their predecessors; but was it not unjust that the landlords of the present day should be made responsible for the conduct of those who lived, perhaps, sixty years ago? The parish in which he resided, was situated two-thirds in Tyrone and one-third in Armagh. At the commencement of the present distress, a relief committee was established, of which he was chairman, and a fund raised, by means of which they distributed meal once a week and soup twice a week; and a single statement or two of the proceedings of that committee would show to the House the extent to which the subdivision of land was carried. There were seeking relief from the fund 430 families; and of these, 35 families only possessed as much as one acre of land. Most of them had none, but only 35 possessed as much as one acre. But, perhaps, the matter would be better understood by taking the state of one townland, in which there were 35 families, consisting of 166 persons. The whole amount of land in the possession of these 35 families was eight acres and a few perches; of these eight acres seven were in the hands of four persons, which left one acre and a few perches to be distributed amongst the remaining 31 families. This would give the House some idea of what out-door relief would become in Ireland. It would show that to attempt to give out-door relief would convert all Ireland into a great poorhouse, and that the whole landed property of the country would not be sufficient to support the poor. He should like to know from the hon. Member for Bath what description of landlords in any country would like to have such a tenantry upon their properties. He must say that if Ireland was the curse of England, the conacre system was the curse of Ireland. He had received a letter from the rector of a parish adjoining to his, and who had been induced to write in consequence of some observations as to the want of exertion in Ireland, which had been made in that House. This clergyman he knew to be indefatigable in his efforts to relieve the wants of those around him; he had not merely given his personal labours for that purpose, but had expended his means also, so that he had been himself left not only without money, but without food. He was the brother of a noble Lord, a Member of that House; and as the circumstances to which he had referred were in the highest degree honourable to him, he had no hesitation in saying that he meant the Rev. Mr. Clements. In his letter he stated, that on several nights when he had been out very late, he had witnessed the loom going in every house he passed for miles; and that on returning on one occasion, at two o'clock in the morning, from the bedside of a dying man, he found the people as entirely engaged as by day. He knew families where they got up almost simultaneously after twelve on Sunday night; and other families who sat up three nights in the week. There was a notion that in the north of Ireland the people could support themselves by means of the linen trade; but when he mentioned that for a web of sixty-four or sixty-five yards only 2*s.* was paid, some idea might be formed of the earnings that could be derived by this branch of industry. Every day's post brought him intelligence of the dreadful amount of misery which prevailed. He had received a letter from his agent that day, who stated that though they constantly heard of vessels laden with grain sailing for Ireland, still the price of food continued to rise; and, what was worse, the grain purchased by the relief committee was adulterated to such an extent with beans and other articles that they were often forced to return their purchases. The dealers joined together to raise the prices of food; and the day which they selected for that purpose was Saturday, when they knew the poor people received their wages. He maintained that the Irish landlords did everything in their power to relieve the distress; but though their means were ten times greater than they were, it would be impossible to do all that the necessities of the case required; and he contended that the present was a time when they had a right to look for relief from this country. It had been said the other night, by way of reproach, that the right hon. Baronet (Sir R. Peel) had an understanding with the noble Lord at the head of the Government. Now, that was precisely what he wished to see. He wanted to see the wisdom, the talent, the energy, and the experience of every party united for the relief of the distress in Ireland. He should like to see such a remedy applied to the evils of that country, as would enable them, should they again be visited by such another calamity, to meet it in a way that would make it press less heavily on the country. He cared not whether the noble Lord and the right hon. Baronet concocted measures out of the House or not, provided those measures were for the good of Ireland.

Mr. LABOUCHERE: Sir, I am not disposed to make any complaint of the conduct of Gentlemen connected with Ireland, especially of those who are about to return to their own country to perform there most important duties, and who have taken this opportunity to lay before the House statements as to the appalling distress and misery that exist in many parts of Ireland. Some of those Gentlemen have expressed an opinion that this House was not fully aware of the depth and extent of that misery; but they will at least do me the justice to say, that I have never attempted to conceal from the House what my opinion was upon that subject. I have said—and I now say—that I believe it is scarcely possible to overstate or exaggerate the amount of human suffering which in many parts of Ireland is now endured. It is impossible for me—imperative as the duty is, that I should read the accounts which every day's post brings, of details the most distressing, as to the effects which scarcity of food has produced in Ireland—to disguise what my impressions are upon that subject. And let me say that if the statements which have been made by hon. Members, have been put to the Government in order to urge them to take every means in their power to alleviate that distress, I can assure the hon. Members who have made those statements, that it was altogether unnecessary. It is not because the Government are unaware of the misery existing in Ireland, or indifferent to the extent of that misery, that anything can be wanting in what they have done for that country; but that the powers of the Government are far more limited than those Gentlemen seem to think. Gentlemen may suppose that the exertions of the Government and the Legislature have not been most judiciously applied under the circumstances; but still they must admit that they have been applied on a most enormous scale; that we have not spared the power or finances of this country in the attempt to cope with an unparalleled state of distress. I believe I may say that more than 600,000 persons are at this moment employed and receiving Government money under the Act of Parliament that passed at the end of last Session. This is an enormous effort—an effort we cannot make without taxing the finances of this country most severely; but under the circumstances, we thought we were justified in making that effort. Sir, it is not possible in a Christian land to see our fellow-creatures perishing by thousands without at least attempting to cope with the calamity which has fallen upon them. And I have the satisfaction of stating, that if these efforts have not prevented the occurrence of such scenes as we have heard described to-night—if they have not prevented the extreme misery and destitution, and loss of human life, which have been brought before us in the accounts of this evening—accounts which, so far from controverting, I am prepared to say are not overcharged—yet, if we could take into account those who have been saved from untimely deaths by the exertions which Government and the Legislature have made, they might be reckoned by hundreds of thousands. The measure to which I have already adverted, has been the principal means which Government has resorted to in the discharge of the duty devolving upon them; but it has not been the only one. The establishment of soup-kitchens, through the medium of the relief committees, who have been actively engaged in raising contributions from private sources, has been extensively followed all over the country; and the Government has liberally granted money to meet the contributions so made from those resources. Had I been aware that this discussion was to come on, I should have come down to the House prepared with facts to show that this system has extended itself throughout the country to the most distressed places in Ireland, and that it has worked in such a manner as greatly to stop the progress of famine and disease unfortunately affecting so many parts of the country. One great cause of the misery that now prevails in Ireland, is doubtless the high price of provisions; but no one will suppose that it is in the power of the Government, when other causes operate to make provisions high, to interfere by artificial means so as to make them low. It is not in Ireland alone, but in France and other countries, that there has been a rise in the prices of provisions; they have been extremely high in France, and it is as impossible that Government could keep the prices of provisions low in Ireland whilst they were high in other countries with which Ireland has intercourse, as to keep the level of the Irish Channel below that of the Atlantic Ocean. Do all you can, you can only mitigate these calamities; you cannot prevent them; without a change in the social system of Ireland, it is impossible to prevent great distress in that country. The hon. Gentleman the Member for Mayo (Mr. D. Browne), who introduced this discussion, has called the attention of the House to the state of the county he represents. Mayo has, I believe, at all times, been one of the most distressed counties in Ireland; and in the present state of that country, Mayo is suffering more than any other county in Ireland. Of the numerous cases of deaths which have arisen from starvation, a very great number have happened in the county Mayo. I believe in most of the cases, the individuals have belonged to the class of mendicants, at all times a very miserable class in Ireland; but at other times, they have a great resource in the charity of the poorer classes; but, in the present year, the mendicants have no means whatever of obtaining assistance from those classes, and their habits render them peculiarly averse to resort to the poorhouse, until the last pressure of want comes upon them, and then they enter it only to die. I believe it is in this class of mendicants that mostly, not exclusively, the deaths have happened. How the Government could prevent this, I am at a loss to imagine. I am ready to bear my willing testimony to the exertions of many among the clergy and the landholders of Ireland, as far as their means permit, to relieve the distress around them; at the same time, I must say that I think it is the duty of all persons of influence, whether landholders or clergymen, not only to co-operate with individual charity, but to do all in their power to prevent the circulation of mischievous delusions amongst the poorer classes. I am anxious to call the attention of the hon. Member for Mayo and of the House to a communication I have received to-day from the county of Mayo, which convinces me, that unless persons of influence in Ireland, whether landholders, clergymen, or belonging to any other class interested in the preservation of property, exert their influence to prevent the people from becoming the victims of delusion, the consequences will be alarming. I understand that in a part of this wretched county of Mayo, an organized combination exists to discourage systematically the cultivation of the soil; the authors of which promise the poor people that if they will but leave off cultivating the soil, the Government and this country would be obliged to maintain them. I call upon all the influential classes in that country, whether landholders or clergymen, to exert themselves by every means in their power to warn the unhappy people of the consequences of falling into this snare. The consequence would be that the state of the country next year must be far worse than it is at present. The communication to which I referred states, that a great body of men, amounting to 200, went round, warning all persons not to attempt to till the land this year. Now, when Gentlemen call upon the Government and the House to employ the most energetic efforts to enable us to meet this great calamity, I think we have a right to call upon all classes to use their utmost influence with the poorer classes, and to co-operate with the House and the Government in warning them of the consequences. I cannot pass over one subject which has been adverted to in the course of the present discussion—I mean, the conduct of the landlords of Ireland, with regard to the exaction of rents in the present crisis. I believe that in some parts of the country, especially in Mayo, there have been many civil-bill processes, not always connected with questions of rent, and not always at the instance of the landlord, but mostly at the instance of middlemen; but I am afraid that in some parts of the country these suits have been going on to an extent which all must deplore. But, with respect to the conduct generally of the landlords of Ireland, I am bound to say that, according to my information, they have exercised their rights with forbearance towards their tenantry, who, by the total failure of the potato crop, had no means of paying their rents. I am bound to say, from the information I have received, that the landlords of Ireland, as a body, have exercised their rights with forbearance. I have letters from different parts of the country upon this subject; but I forbear reading them; I confine myself to the general practice. I have a letter from Cavan, from the assistant barrister, Mr. Murphy, dated January 9, in answer to an inquiry upon this subject, in which he says—

> "In this county, the ejectments have diminished considerably in amount within the last two or three years; at this sessions, not more than one-half of what I have known in former years. Upon the whole, the landlords in this county have acted with kindness and forbearance to the tenantry; Lord Farnham, at the head of them, admirably."

I am bound to say that most of the great body of the landlords of Ireland have conducted themselves in this manner with regard to the class of tenants who depended wholly upon potatoes. With respect to another class of tenants, who were solvent men, well able to pay their rents, and who did not depend upon their potato crop, not only were the landlords justified in making them pay their rents, but they could not be expected to contribute to relieve the necessities of the poorer classes, if they were not to compel those tenants to pay their rent who were able to pay it but would not, but took advantage of the general state of the country as a pretext for not paying their rent. I will not detain the House at any greater length upon this occasion. I sincerely hope that the elements of dispute which have been introduced into the present discussion, will not be allowed to interfere with the consideration of the measures before the House. I shall think it most unfortunate if in the discussion of Irish measures such topics should be allowed, night after night, to obstruct our progress. If this is to be persisted in, I should despair of making any progress in the important work before us. Before I sit down, I will just advert to what fell from the hon. Baronet opposite (Sir W. Verner) as to the delay of the other Irish Bills. After full consideration, it is the opinion of Her Majesty's Government that they ought not to postpone those Bills till after Easter; I think it would be improper to do so, and I give notice that on the 8th of March, the Government will proceed with these Bills.

Mr. JOHN O'CONNELL shared in the anxiety of the right hon. Gentleman as to the state of Ireland, and wished they might at once proceed with the business of the evening. He deplored that so much bitterness had been introduced into this debate; but the fault did not lie with him or with those with whom he acted, but with others who had thrown out so much taunt and reviling. The hon. Baronet the Member for Marylebone (Sir B. Hall), had attacked two or three of the Irish Members in a most severe manner, without having given them the least notice of his intention to attack them. He cared as little for the hon. Baronet's attack as for his courtesy; but when charges of delay, and having thrown bitterness into the discussion, were made, it was but fair to show where the blame rested. If hon. Members were willing to relieve Ireland, they ought not to accompany their charity with a taunt or a sneer—they ought not to make the unfortunate recipients wince under the dole which was extended to them. They might talk as they liked of the amount of that charity, but the whole of it did not equal the amount of money of which Ireland had been defrauded by the iniquitous policy of this country. Let not hon. Gentlemen provoke him to tell them to be just before they were generous. On two occasions Mr. Pitt had confessed that up to a certain period England had constantly endeavoured to crush the prosperity of Ireland. Up to what period? Up to that period, when Irishmen, forgetting their differences, united together, and wrung from that House, by the dread of civil war, that freedom of trade which, in eighteen years, enabled Ireland to make an advance in prosperity unequalled in the history of nations. The Union, effected by bribery, since confessed, followed. Ireland lost her Parliament, and her population were reduced to depend on the lowest description of food, the failure of which had reduced them to a state of complete destitution. England was now paying for her misgovernment of Ireland. When these things could be proved, was it not monstrous for England to seek to evade the penalty? One standing topic with certain hon. Gentlemen was that of the Repeal rent, which they looked upon as money taken from the people. It was asked, what had been done with the money? The English Parliament, year after year, refused to grant religious freedom in Ireland. An association was formed. The shilling contribution represented a man. The amount was an index to the aggregate who were determined on obtaining their rights, and before whom the Parliament of England gave way and conceded emancipation. That was the Catholic rent. It had been asked what the Repeal rent had done? It had enabled them in many instances to put down petty tyranny, and to secure justice to the poor peasant who had no friends. The Repeal rent had also enabled the people of Ireland, at the time of the State Trials, in 1843, to vindicate their own cause, and prevent a precedent from being established as dangerous to the liberties of Englishmen as that prosecution which had followed to his death the ancestor of the noble Lord on the benches below him (Lord John Russell). It had enabled the people of Ireland, through the agency of the poor man's penny, successfully to fight against and resist the whole power of the Government of England, unscrupulously used as it was. It should be borne in mind that the decision of the court below in the case of these trials of 1843, would have been used as a most dangerous precedent against the liberty of the subject, not only in that country, but also in England, had it not been reversed. He did not make this allusion to the trials from any personal consideration; for the men who were attempted to be made the victims of that prosecution, having once entered into the struggle in their country's cause, were prepared for any issue. They were resolved to shun bloodshed and violence, unless in the event of the Irish people being denied those rights of the constitution to which as British subjects they were entitled, in which case they were prepared to meet the aggression at the peril of their lives; but they risked their property, and everything that could make life valuable, and were resolved to do so still, until the great object of their political ambition was achieved. He did not speak, therefore, from a personal motive in making this reference to the trials of 1843; but this he did not hesitate to say, that had not the decision been reversed, it would have been pleaded as a fatal precedent for the overthrow of liberty in all parts of the British empire. How was its reversion brought to pass? By the help of the pence of the Irish peasant. Knowing that it was his cause that was at stake, he freely gave his money for its sustentation; and he had the gratification of seeing an unjust sentence trampled on and legally set at nought. The hon. Gentleman (Sir B. Hall) had this advantage over him, that the hon. Gentleman had taken him unawares in this attack. He was not prepared for such an onslaught. Had he been so he would have been in a position to go into the items, and to give the details of tyrannical aggression repelled, of the poor man's cause asserted, and of popular information diffused throughout the country by the instrumentality of the Repeal rent; but he would not now pause to dwell upon such matters. The hon. Member was welcome to his taunt. There was nothing more easy than to deal in such imputations, at the very moment when those who had the management of that rent were paying the expenses of the association out of their own pockets; but the sensible and the honest-minded would know what amount of value should be attached to such insinuations. The hon. Member had talked about Repeal being "a phantom." If it was so (which he most emphatically denied), it was at least a gorgeous, a beautiful, and an attractive phantom; but their Union had produced nothing that dazzled the fancy, or captivated the imagination. It had produced not a phantom, but the ghostly reality of the most appalling state of things that had ever existed in a Christian land. It was the denial of Repeal, the fraudulent abolition of the Irish Parliament, and the inexorable refusal of that House to hear the remonstrances of the Irish people in this behalf, that had reduced Ireland to the miserable condition in which she was now placed. With respect to the Ministry now in office, he was far from blaming them. He gave them credit for the best intentions. In their efforts to mitigate the distress in Ireland, they had gone farther than public opinion in that House and in England would warrant them. They were in advance of public opinion in that House and in the country, and were consequently entitled to the gratitude of the Irish Members, even though their exertions might fall very short indeed of answering the expectations which had been formed in Ireland. They (the Ministers) were bringing odium on themselves by their exertions to alleviate Irish suffering, and the Irish people were grateful to them for the sincerity and kindliness of their intention; but he very much feared that there were still in that House many hon. Members who even yet were not fully cognizant of the fearful extent of the calamity which afflicted Ireland, nor duly sensible of the appalling results which would accrue from it to this country when the wretches who were famishing at the other side of the Channel would come over to this country to spread disease and desolation amongst the English population. To those who were thus sceptical, he would recommend an attentive perusal of the letter of Commander Caffin, which appeared in the journals of that morning, merely observing in reference to it, that it would be no difficult matter to find a thousand parallels for the dreadful scene in Schull, depicted with such touching power by the gallant officer. He was in hourly receipt of accounts from Ireland, which pictured a state of things quite as afflicting, if not more so, in a thousand other districts. It was full time that the English Legislature should turn their attention to the condition of Ireland, and bear in mind that they owed a debt both of good government and of money to that cruelly-wronged country. He had to apologize for trespassing at such length upon the attention of the House; but the Irish Members who sympathized in the fortunes of their country, and had her interests at heart, would be less than men if they did not repel the shameless revilings of the Member for Marylebone with that just indignation which their fealty to their country and to the cause of truth demanded of them.

Mr. GRATTAN observed, that notwithstanding the extraordinary character of the attack which had been made by the hon. Member for Marylebone, the Irish Gentlemen in that House had some cause of consolation in the reflection that the hon. Baronet's feelings were not those of Englishmen generally. Most assuredly they were not the sentiments of the well-conducted and sensible amongst Englishmen. He appeared to be unboundedly indignant at the idea of public subscriptions being raised for political men or for political purposes in Ireland; but he had entirely overlooked the fact of such subscriptions being of frequent occurrence in this country. Was it not notorious that for one highly distinguished politician there had been collected in this country, within the course of a few months, no less a sum than 90,000*l.*? and was it not a fact equally well ascertained, that there had been such a collection on foot in England as the Spottiswoode Fund? The plundered and misgoverned people of Ireland subscribed that they might recover their lost property and their filched liberties. The hon. Member had attacked a great public body—the Repeal Association of Ireland. To that body he (Mr. Grattan) belonged, and considered it an honour to be connected with it. He would fearlessly stand up for it, and defend it to the last for its many virtuous acts. It had been called into existence by the infatuated policy, and the disastrous system of misrule, adopted by this country in reference to Ireland. Why had that House withheld Catholic emancipation from 1800 to 1829, and why had they invariably pursued towards Ireland such a course of conduct as rendered such bodies as the Catholic Association and the Repeal Association necessary? Why had they neglected the advice of such men as Fox, Wyndham, and Ponsonby, and coerced the Irish people to the conviction that England was unwilling to concede anything she could withhold, and that they had no chance of getting even an instalment of liberty, unless they concentrated their powers, and made a joint-stock fund with their money? It was the gross misrule of England that had called such bodies into existence. He conceived that gross injustice had been done in many instances, in the course of this debate, to the landed Irish proprietors. He was in receipt of a letter from one of the landlords who had been thus aggrieved, Sir R. Lynch Blosse, against whom some most unjustifiable charges had been made by Mr. Otway, the Poor Law Commissioner. To this document he would take the liberty of soliciting the especial attention of the House. [The hon. Member read the letter, and the writer denied that any arrears of poor rate were due on his property. When the last rate was struck, his agent offered to pay the proportion of the rate for which his property was liable; but, in addition to this, the collector claimed an arrear of rate which was not due. The fact was, it was due by a former collector, to whom it had been duly paid, and who had been dismissed from his office. The receipt for the money was produced by the agent, and the rate was then refused. The letter concluded with the expression of a hope that Mr. Otway, before making statements which were to come before Parliament, would make it his business to inquire whether there was any foundation for them, and not again expose himself to the discredit of making charges which were so easily answered.] He trusted that the House would consider this letter as completely satisfactory. The charges which were brought against Sir R. L. Blosse had as little foundation in fact as those which the hon. Member for Marylebone had brought against the Repeal Association. As a gentleman and a man of honour, he could unhesitatingly declare, that he joined that association for a good purpose, and to divest it of the sectarian character which previously belonged to it. He joined it because he thought it would be the means of stepping between the two countries, and preventing that which, so help him God, he then feared and still apprehended—separation. He had examined the accounts of the association; and to this distinct assertion he pledged himself, that, as far as he could see, not one single penny of the money had gone into the pockets of any private individual, and least of all into the pockets of a certain individual, to whom he would not more particularly allude, as he was a Member of that House. But this he did know, that the predecessors of the present Government permitted the Irish people to assemble in thousands, and hundreds of thousands, between the months of May and October. Tara met, and Mullaghmast met, and not one word to the contrary did the Government utter, until at at length there came out, on a dark night, a Castle proclamation. The first he heard of their prosecution was when he was abroad, after attending several of the meetings. Such conduct as this convicted the Government of incapacity and ignorance, and showed that they were bad lawyers and bad statesmen, who succeeded in nothing but in making themselves ridiculous. No less than 25,000*l.* were paid by the Irish people to defend themselves from the insanity of the proclamation and prosecution, and this was paid out of the Repeal rent. With reference to that fund he would say, as Chatham had said in reference to the American war — "There may have been extravagance—there may, in some instances, have been injudicious expenditure; but it is idle to conceal the fact, that it is a question of oppression on the one side, and of liberty on the other." It was not in the power of the hon. Member for Marylebone, nor in that of the petty parish he represented, to put down such sentiments or to crush such principles as these. As to the soup-kitchens about to be established in Ireland, if the noble Lord the Member for London were, unhappily for the country, to go out, he did not know of any one who was so competent to supply his place as M. Soyer, the cook of the Reform Club. His letter on the soup-kitchen question was admirable. If cooks were not given under the Act of the noble Lord at the head of the Government, he predicted the kitchens would fail. The Irish landlords, he denied, had neglected their duty. They were most severe sufferers from this calamity. He knew one landlord in the county of Tipperary, who had a rental of 13,000*l.*, and could only get 700*l.* out of it; another in Leitrim, who had two estates, one of 500*l.*, and another of 700*l.*, and who could only collect 5*l.*; and a third, in another district, who had a rental of 7,000*l.*, and only received 15*s.*; and a fourth who, out of a rental of 3,000*l.*, only obtained 3*l.* 10*s.* If any of the landed proprietors had neglected their duty, it was the absentees, and not the resident landlords, who were culpable. A statement had been made by a relief committee in the Queen's County, a short time since, which was to the following effect: Value of property held in the district by absentees, 25,578*l.*; value of property held by resident proprietors, 530*l.* Amount subscribed for distress by the absentees, 208*l.*; ditto by the residents, 459*l.* With respect to the Bill of Indemnity which was about to be committed, he thought it right to remind the House that not more than seventy-seven presentments had been made under Mr. Labouchere's letter. He had a statement that only ten depôts were open in Ireland since the month of November, and only a sum of 146,000*l.* was granted in purchasing provisions.

Mr. ROEBUCK had come down to the House with the expectation of a Bill being proposed to render valid certain proceedings which were adopted for the relief of the people of Ireland, and for the employment of the labouring poor of that country. When he came into the House, the hon. Member for Mayo had communicated to the House a number of cases of extraordinary suffering, and an hon. Gentleman opposite had done the same. A personal altercation succeeded, and then the speech of the hon. Gentleman followed; and, although he had pursued him with great care, it defied his ingenuity to characterize his statement. There was "sound and fury, signifying nothing." They were told the people of Ireland were starving; but it was now about half-past eight o'clock, and though they began business about five o'clock, they had not yet got into Committee on this Bill. He thought it due to his countrymen on the present occasion fairly, and as briefly as he could, to state the case of Ireland, and the way in which he considered it on the present occasion. He never heard a Member representing any portion of the English people get up in his place and deny that it was their bounden duty to do all that in them lay to mitigate the miseries of Ireland. They had differed from Government and with many Gentlemen as to the precise mode of relieving that distress; but there was not a man amongst them but said he wished the distress of Ireland should be relieved. Yet the hon. Gentleman the Member for Kilkenny had charged the English Members with being the authors of the miseries of Ireland; and another Gentleman, the hon. Member opposite (Mr. Grattan), had said it was a punishment of Divine Providence upon them, in consequence of their horrible atrocities to Ireland; but he feared that the hon. Member did not recollect or know what he was saying. He did say that, though it was a rather Irish mode of retribution, that the offended people should be punished, and not the offenders. He charged the hon. Gentleman with saying that; he said it was a visitation of Divine Providence, brought on the people of Ireland in consequence of the conduct of the people of this country. [Mr. Grattan: The hon. Gentleman has mistaken me.] "Mistaken!" I charge the hon. Gentleman with saying it. He may say he did not intend to say it. [Mr. Grattan: I deny that I said it. I appeal to my hon. Friend near me whether I said it or not.] I am quite willing to accept the hon. Gentleman's retractation; but I must trust my ears.

Colonel RAWDON: I rise to order. I submit to you, that if a Member in this House denies having made a statement in this House, and if another Member says he accepts his retractation, that that hon. Member is out of order in not having accepted the total denial.

Mr. ROEBUCK thought the conduct of the people of England on this occasion was far above the attacks of either hon. Gentlemen. Could it be believed that at this time the people of England, his countrymen, should be charged with a disregard of the feelings and miseries of the Irish people—that they should be charged at this time with being the cause of the visitation which was now unhappily felt in Ireland? Could it be said that those generous millions who were actually vieing with one another in the exhibition of their charitable feelings, were chargeable with anything like the atrocity with which those hon. Gentlemen were pleased to charge them? If they were open to those emotions with which they were charged, they might withdraw all their kindness and benevolence; but he (Mr. Roebuck) knew his countrymen so well as to know that in their bosoms there would be created a still further desire to do good to their fellow-countrymen in Ireland, in order to give the lie to all those base assertions connected with their conduct. It was not requisite at that time to refer to all that had been done to justify his countrymen against anything like this species of attack; but what he was there to do he would do, in spite of all this violence and vituperation which had been visited upon Englishmen who chose to get up and insinuate that there might be a better mode of supplying the wants of the Irish people. He would carry out the argument of the hon. Member for Marylebone. And what did he say? That there were certain Gentlemen in that House who got up and gave them an affecting description of the miseries of the people of Ireland; that Gentlemen came there and asked them to subscribe; but, said he, "I have a right to consider the situation of my own countrymen, and the conduct of those who ought also to contribute to relieve the misery of Ireland." He said he saw in that House Gentlemen—he could not help pointing his finger at them—who were accustomed to take rent from the people of Ireland, and he gave a significant instance of collections from the Irish poor by a body of Irish gentlemen in Dublin. He pointed to the month in which these collections were made, and he showed that no contribution from that body of gentlemen had been made to ameliorate the misery of the people of Ireland. He would go a step further, and say that the Irish landlords had not contributed, as they ought to have, to relieve the miseries of the Irish. Why did they say so? He took the case of Skibbereen, and he had a right to take it. There was a poor law in Ireland, and the people of Skibbereen were fully capable of paying the poor rate to a very great extent. The poor rate was not fivepence in the pound, and that poor rate was not collected. Were not English Gentlemen then justified in turning round and saying—"Before you wring from our people those enormous sums which we are now paying for the maintenance of the people of Ireland, are we not justified in calling on the Gentlemen from Ireland to bear their full quota?" He would say, they were not come there to bandy abuse with any Gentleman; but they had a right to consider the state of their constituents. What was now occurring in a town in the county of Somerset? He held in his hand a paper, calling a meeting in the town he represented, to relieve the poor in that district. He had received description after description of the state of the peasants—of the people in the county of Somerset, who were absolutely at this time living on the lowest possible kind of food, of which they had the scantiest supply. They were at the present moment—(and hon. Gentlemen knew what the English peasant was and what he was accustomed to be fed upon)—they were at the present moment, out of a large portion of Somersetshire, living on horse beans, and had a very small quantity of the same. They were absolutely obliged to go into the fields to pick up rotten turnips to get food from them. He was not bringing forward those instances to throw them in the teeth of those Gentlemen who asked them to relieve Ireland; but he said when this was the condition of their own peasantry, it became a solemn duty on their part to see that all paid their shares; and, depend upon it, they would make them pay their shares. The hon. Gentleman the Member for Meath had talked of the Government, and had charged them with having distributed only some petty quantity of meal. He said they had established an insufficient number of depôts, and had distributed some small quantity of meal; but he (Mr. Roebuck) asked, did not the right hon. Gentleman the Secretary for Ireland state in that House, not an hour and a half ago, that 600,000 persons had received relief from the Government funds? The hon. Member had charged the Government with dereliction of duty, because he said they were niggardly in the distribution of meal; but the statement of the right hon. Gentleman the Secretary for Ireland showed that 600,000 persons were receiving support from the Government. The hon. Gentleman had said there was an insufficient distribution of meal; and the answer to that was, 600,000 persons were fed. The conclusions from that reply were unanswerable; but the statements of the hon. Gentlemen were those of heat and passion and utter indiscretion, and were not based upon that which ought alone to guide them in making declarations in that House. He was quite prepared to give to the Government the most unqualified meed of his approbation (if it were worth a farthing) for their kindly-meant endeavours for the relief of the people. He believed they had assumed to themselves a responsibility that hardly any Ministry ever before took upon themselves to relieve the people. They had spent moneys which in any other case would have alarmed and terrified an Administration; and they would no more dare go on with that degree of expenditure than put their right hands in the fire. But they, having a thorough confidence in the kindly feeling of their countrymen, knew that they were perfectly safe in doing that which was right, and generous, and benevolent, towards the people of Ireland. It was that very feeling that made them bold; but when they knew what it was that made them bold, they ought not to hide from themselves the extraordinary steps they had taken, and the great responsibility which they had the courage to take upon themselves. The Bill which he held in his hand proved what he asserted. There was a large deviation from an Act of Parliament; and so great was the noble Lord's confidence in the feelings of this country and of Parliament, that, although they had sat many weeks, they had not troubled Parliament to pass a Bill, for they felt quite certain that the kindly feelings of Englishmen would induce them to pass it. Was this then a time for this species of remarks? These were the remarks of the hon. Member for Kilkenny and of the hon. Member for Mayo, detailing the misery that exists in Ireland; but did they deserve the comment that had been made upon that statement—that they had created the misery—they being anxious and willing to do all they could to relieve it. There must, in a visitation like this, be much misery and suffering; but was it honest towards the Government, or the people of England, to say, "That is your doing—see what you have done for Ireland!" What, he asked, was the meaning of this reiteration? They acknowledged all the misery of Ireland; but they only said, "For God's sake, do you come forward yourselves, and aid and assist us in giving relief." He (Mr. Roebuck), as a representative of the English people, would say to the Government, that he entreated of them, in all they were doing for the relief of Ireland, to be aware of the frightful consequences to which he would direct their attention. An hon. Gentleman opposite had said—and the statement was verified by the right hon. Gentleman the Secretary for Ireland—that the land of that country was not now being tilled, but that there was a combination in parts of it not to till the land—[An Hon. Member: In Mayo]—but let them beware lest they created a state of feeling that would lead of necessity to the same result. Let them beware, that, in their proposals of regenerating and relieving Ireland, they did not take away the people from the tilling of the soil, and make them dependent on the Government not only for this year, but the coming year. If Ireland were dependent, and if she put down her hands, and did not assist herself, the year that was coming would fall with tenfold horrors upon her. They who told the Irish people that, were not their enemies but their friends; and they who called upon the Irish gentlemen to assist and aid them in stimulating the industry of the population, and in telling the people not to depend upon Government for support, were, in reality, the most beneficial friends that Ireland could have at the present moment. It might be said that Ireland had lost her best adviser—that her large wolf-dog was dead—the name might remain, but the substance was gone—the great spirit had fled, though the name was still cherished. He (Mr. Roebuck) had seen, when going into the City, a great name over an old firm; but the great name, in reality, was gone—the capital was withdrawn—an empty name remained—a name, nothing more—without wealth to conduct its concerns, without one single particle of intelligence to direct it. So it was with the Irish: they had now nothing but the name, and empty and violent vituperation, to support them; and it might be truly said, that although there were the contortions of the Sybil, the inspiration was gone.

Mr. SHAW had been unwilling to delay the regular business of the night by taking any part in that preliminary discussion; but after the speech of the hon. and learned Gentleman (Mr. Roebuck), he (Mr. Shaw) could not remain altogether silent. He would, however, endeavour to reply to it briefly, and, although that might be difficult, with good temper. He concurred with the right hon. Gentleman the Secretary for Ireland, in deprecating the acrimonious spirit which had been so constantly infused into the debates of that Session, upon the calamity with which Ireland was visited. He must say, however, that generally, and on that night in particular, the acrimony had not been introduced by the Irish Members. The hon. Gentleman the Member for Mayo (Mr. D. Browne), who had commenced the discussion, and his (Mr. Shaw's) hon. Friend, who had followed him (Mr. Lefroy), could hardly be blamed for laying before the House and the country some few of the instances with which they were daily supplied from Ireland, of the truly heart-rending sufferings of the people in many parts of that country, especially when the noble Lord (Lord J. Russell) had, in an early part of the evening, put off the other Irish measures for a fortnight; and those hon. Members had done so in no irritating spirit. He was not so much surprised at the bitterness of the hon. and learned Gentleman (Mr. Roebuck)—for it seemed constitutional to him—as at the unprovoked attacks made by the hon. Baronet the Member for Marylebone (Sir B. Hall)—so contrary to the hon. Baronet's usual habit and demeanour in that House—against the Irish landlords. The hon. Baronet it certainly was, who had led to all the interruptions and altercation which had occurred that night. The hon. Baronet had very inappropriately, as he (Mr. Shaw) must think, referred to the proceedings of the Conciliation Hall in Dublin, and that naturally provoked an angry reply from Gentlemen connected with that association,—which it was not for him to defend, no more than some of the sentiments elicited from the hon. Gentleman the Member for Meath (Mr. Grattan); although he must so far agree with the hon. Member, that what he had said had not been fairly represented by the hon. and learned Gentleman (Mr. Roebuck). Nothing could have been more unfair on the part of the hon. Baronet, than to have selected one instance out of 136 poor-law unions in Ireland, where the law had been badly administered, and hold that forth as a sample of all, while the Poor Law Commissioners had given a very favourable account of the general progress of the law since the date of their last report. More unjust and injurious still was it, without sufficient inquiry, to hold up the names of private individuals to opprobrium in that House for neglect of duty. Two cases, those of Lord Lucan and Sir William Becher, had been met and answered on the moment in the House. Another very strong case of misrepresentation, that of Sir F. Lynch Blosse, had been that night alluded to by the hon. Member for Meath (Mr. Grattan); and he would then mention a third. He had received a letter from a clergyman residing in the neighbourhood, stating that the greatest pain had been given to a venerable and much-esteemed lady, the Dowager Lady Carbery, by a statement made in that House by the hon. Baronet (Sir B. Hall), that the estate of Lord Carbery, in the county of Cork, was neglected. That estate was not in the hands of Lord Carbery at present, but of that benevolent lady, who was then residing on it, and devoting her time and her fortune to alleviate the poverty and distress that, from no fault of hers, prevailed there; and he would take that occasion to remark, that there did not appear to have been that reasonable caution which ought to have been observed, in the writing or in the publication of some of the official letters, on the subject of Irish distress, which had been laid on the Table of the House. The hon. and learned Gentleman (Mr. Roebuck) complained that the Irish Members had accused the people of England of violence and vituperation. The hon. and learned Gentleman seemed to have mistaken himself; for the people of England—the exertions and the sympathy of the Government and the English public—had been acknowledged by all Irish Members who had shared in those debates; while the violence and vituperation of the hon. and learned Gentleman (Mr. Roebuck) had been, and, as he (Mr. Shaw) considered, very justly denounced by them. The hon. and learned Gentleman was in error when he said that the 600,000 men, then employed on public works in Ireland, were paid with English money. It was no such thing. The money was, no doubt, advanced, not by England, but from the Imperial Treasury; but all freely charged, to the enormous extent of 6,000,000*l.*, on their own lands by the maligned landed proprietors of Ireland. And what was the other great boon of which the hon. and learned Gentleman so vaunted and complained, namely, the Bill for the improvement of landed property, and to afford employment to the labouring classes? Why, this, that a sum of 500,000*l.* was to be granted for that purpose, in addition to the 1,000,000*l.* voted last year, without reference to the present calamity; and that was to be supposed adequate to meet the emergency, and a sufficient means of enabling the landed property of Ireland to bear the accumulated charges that were about being cast upon it. His object was not then to find fault with or discuss that Bill, which was not before them; but to rebut the absurdity of its being represented by the hon. and learned Gentleman as an extraordinary boon to Irish landlords. The different circumstances of England and Ireland were not sufficiently borne in mind during these discussions; the poverty in Ireland being probably tenfold greater than that in England, while the property in Ireland available to meet it, could not bear a proportion of one-tenth to that of England. Call it a poorer country, if you will, and find fault freely with the system that prevails there; but do not make your accusations personal. The real gravamen of the charges made by the hon. Baronet (Sir B. Hall), and reiterated by the hon. and learned Gentleman (Mr. Roebuck), and which had caused such just offence to Irish landlords and Irish Gentlemen in that House, was this: "Be charitable yourselves, before you seek charity from us." Now, he would not stand up in that House to declare that every landlord in Ireland did his duty, any more than he would deny that there were good and bad in all bodies of men both in that country and in this. But he would boldly grapple with the insinuation that charge conveyed, and say that, take them as a body, the landlords and resident gentry of Ireland were at that moment cordially sympathizing with, and generally devoting their time, their energies, and their fortunes to alleviate the miseries of the deeply suffering people of that country. It was painful to be driven, as they were, to speak of their own exertions; for if they could be tenfold greater under the present crying exigency, it would be no more than their obvious duty. But he had spent the last six months in Ireland, a daily witness of what he described; and he spoke not of individual cases, but almost every friend or acquaintance that he had in Ireland was engaged in attending to the public works, the relief committees, or otherwise providing for the wants of the poor; their sons, their daughters, their entire families, forsaking their usual amusements and pursuits, wholly gave their time, and minds, and means to mitigate—and withal they could do little more than mitigate — the sad destitution which pervaded that country. It was not more distressing to him (Mr. Shaw) to have such statements drawn from him, as if in the spirit of self-praise on behalf of the Irish resident gentry, than it must be to the class of high-minded English Gentlemen whom he addressed, to hear their undoubted generosity vaunted, and Ireland upbraided with her poverty at such a moment as that. It had pleased Providence to send an awful visitation on a large portion of their people; surely, then, it was not too much to expect that it should be received as a national calamity, and discussed without mutual recrimination in that House by the representatives of every part of the United Kingdom. He trusted that such might be the spirit of their future debates on the subject, and that the House would now pass on to the proper business before them.

Lord J. Russell: I wish to say a few words before the House goes into Committee upon this Bill. I agree so entirely in the spirit of the observations which have been made by the right hon. Gentleman who has just sat down, in asking the House to depart from that bitterness of spirit in which hon. Members have spoken on one side of the House and the other, that I could not refrain from adding my wish and exhortation to hon. Members to go into the consideration of these measures in a better temper towards those who come from a different part of the empire from themselves. I am far from boasting of the generosity of Parliament; but I think we may also claim to be exempt from the charge of insensibility to the distress of the Irish people, which, before the Session began, was so freely advanced. Now, there are but one or two matters on which I wish to make any observation; but with regard to the future prospects of Ireland, it is impossible to look forward to what may happen next year, without feeling the most serious apprehensions. Although I can hardly believe that any efforts which Parliament, or the Government, or the people can make, can carry us through that transition which must take place in Ireland without very great suffering, still I think that by taking precautions, which are within our reach, these sufferings may be considerably mitigated. I am sorry to find, as my right hon. Friend has stated to-night, that there is a great neglect of tillage by the small tenants, and in Mayo almost a determination not to assist at all in its cultivation; but I have also heard from a Roman Catholic priest in a totally different part of Ireland, that the smaller tenants not only say that they could not cultivate land, but that they did not intend to do so, because they did not believe that they would derive any advantage from the prospective harvest. This arises, I am afraid, from a very unfortunate constitution of society—a very unfortunate constitution, I repeat, of society in that country, because I observe that when Irish landlords speak of their tenants, and the conduct of tenants, that they are apt to find some fault with them, speaking of them as neglecting the cultivation of the soil, and of concealing the real amount of their produce; and the tenants, when speaking of their landlords, continually say that they are pushing their rights to the utmost, and depriving them of the very means of existence, in their efforts to force the payment of rent. I think that in a period of real calamity like the present, unless a better spirit be displayed—unless the landlords do show a greater spirit of confidence—unless they go more among their tenants, and convey their wishes with that forbearance which I really think they mean to exercise—and unless the tenants be brought to believe that they may rely on the forbearance of their landlords, that the prospect for the next year is gloomy indeed. I do think the landlords on their part, and the clergy of different persuasions on their parts, might contribute greatly to this end. I do not believe that any legislative enactments that we may pass in the Imperial Parliament, or any enactments that could have been passed in a Parliament sitting in Dublin, had such existed, would prove effectual, unless a spirit of co-operation and kindness existed amongst the various classes to make the laws effectual. There is another matter upon which I would say a word, because while I do not think that there is the smallest hesitation on the part of the people of this country to make any sacrifice to relieve in a degree the pressure of the great calamity which has fallen upon Ireland, yet I believe that in the opinion of the people of this country, and the opinion which is springing up amongst the people of Ireland, that the distress, that the want, that the actual state of starvation to which the people may be reduced, ought to give them a claim on the property of Ireland—I believe the same claim which exists on the property of England in years of great distress. I believe it is the opinion—the growing opinion, that whatever may be done for the present, that in future a provision by law should exist, by which, when the workhouses are full, relief ought to be given to all those who are in a state of destitution. I have not heard, myself, from the Irish Gentlemen a contradiction of that general impression. I do not believe that that proposition, when we come to discuss the mode in which relief should be given, will meet with resistance—that whatever discussion there may be about the details—upon the mode in which the proposition should be carried out—I do not believe that with respect to the principle itself there will be any portion of the Irish representatives who will give resistance to it. I say this at the present moment, because I do believe that while there is no reluctance to agree to the measures proposed by Her Majesty's Ministers, there is a notion, which I deem to be unfounded, that with respect to the future, Irish landlords wish to avoid the burden of providing for the destitute. My own impression is, that they will not attempt to avoid the burden. I believe that all classes are prepared to agree to measures which impose any pecuniary sacrifices on the people of this country, if they are satisfied that measures of the kind I have alluded to will be cheerfully assented to on the part of the Irish landlords. The right hon. Gentleman (Mr. Shaw) has said, and other Irish Members have said, that for all the advances made, Irish proprietors are ready to charge themselves. I do not mean to say anything to the contrary. There is no intention, however, to impose that charge upon the landlords without assistance. There is no intention to ask them to bear the whole; but if the proposition of the Government be carried out, there will be a sacrifice made by all parties in the United Kingdom, it being proposed that one-half of what is advanced to the present year, according to the Act of last Session, shall be remitted. I have not heard a single objection to that proposition. I do not believe it will be objected to; but it is expected that the property of Ireland—although a poor country—still it is expected that Irish property shall be liable to the charge of affording relief to the Irish poor.

Mr. SMITH O'BRIEN hoped they would be allowed to discuss the measures before them without the introduction of topics calculated to excite hostility on either side. Nothing could give him more satisfaction in that House than the appointment of a Committee of resolute men, who would not be afraid to visit the scenes of Irish distress—if necessary, the charnel-house and the hospital—to see the condition of Ireland as it was, both as respected the people and the conduct of the landlords. He would volunteer to accompany any such committee or commission, and assist them in procuring information. With reference to the measures introduced by the Government, he was bound to express his opinion that they were utterly inadequate to the present crisis. He could not help, too, expressing his surprise, that after five weeks' consideration before the meeting of Parliament, they should have already sat upwards of four months, and yet the measures for the relief of Ireland, which they were told would be brought forward, had not been submitted to the House. With respect to a permanent poor law, he, for one, was ready to tender to the Government his support of the principle of that Bill. He had always been an advocate for a poor law in Ireland; and the opinions which he expressed many years ago in favour of that measure, had been confirmed by subsequent experience. With reference to the measures of temporary relief, he feared that the establishment of soup-kitchens would disappoint their expectations, and be by no means applicable to many parts of Ireland. The adoption of a system of out-door relief, whether in food or money, was a duty which ought to be performed not only in the present year, but in all others. With reference to the able-bodied poor, he thought the Government had not provided productive employment for them to the extent that was desirable. There was no security against the recurrence of famine; and even under the most favourable circumstances theymust contrive to stimulate employment for several years. Then he wished to know how the Government would absorb the labour of the country. What would 1,500,000*l.* do in taking off the roads 600,000 men? At most it would only give a year's employment to 100,000, and what was to become of the remainder? He thought the Government were to blame for not resorting to colonisation; for he thought a large portion of the population might advantageously transfer themselves to the colonies under such circumstances as would guarantee their future well-being. That resource, however seemed put aside altogether. Again, it was well known that there were numbers of men employed at this moment on the roads, who ought to be employed in the fisheries. He had heard of no scheme on a large scale for transferring this portion of the population back to their natural and more profitable employment. He thought, too, the Government were much to blame for not preparing some measure to adjust the relations of landlord and tenant. For want of this, many tenants who possessed capital, were unwilling to employ it in cultivating the soil. Any proposition, however, of this nature appeared to be indefinitely postponed. Neither did he hear anything of an absentee tax to compel the landlord either to sell his estate or reside in Ireland, or to make some equivalent compensation. The proposal of the hon. Member for Lynn (Lord G. Bentinck) had been rejected. He confessed he deeply regretted it. Everything he had heard in the discussion, only confirmed the opinion he had formed—that it was a measure that would do more good even than its proposer contemplated. He thought they might have much more usefully expended on railways the millions they had employed in the destruction of roads. When it was said the finances of the country could not bear it, he would ask were they not expended freely on much less useful objects? If there should be a rebellion in Ireland to-morrow, they would cheerfully vote 10 or 20 millions to put it down; but what they would do to destroy life, they would not do to save it. The hon. Member then read some letters relating to the distress in Ireland, and said the distress there last year was not a tenth part of what it now was; yet much more was then done by the Government. He had hoped the right hon. Baronet (Sir R. Peel) would not have refrained from offering his counsel on this great emergency—that he would not have limited himself to finding faults, which might be found in every plan—but, as a statesman, would have told the Parliament of Great Britain how this great crisis ought to be met. He told the noble Lord that it ought to find means to remove from the roads the immense army placed upon them; but he did not venture the smallest possible suggestion how it was to be accomplished. As to the proposals before them, they were nothing but a series of temporary expedients. These would be useless, for he would frankly tell the hon. Member for Bath that he saw no reason why the present state of things should not continue for several years. He therefore implored the Government to lay before the House and the country a system which should give the people of Ireland an assurance that they would be employed on something else than useless works, and that the painful scenes which were taking place every day, and which it was in their power to prevent, should not be permitted to recur.

Mr. BICKHAM ESCOTT said, that one or two circumstances had that evening occurred, to which he deemed it his duty to allude. The hon. Member (Mr. O'Brien) had spoken of the measures proposed by Ministers as inadequate to meet the evils which existed in Ireland. In this opinion he agreed in so far as a permanent remedy was concerned; but the measures in question had not been proposed as permanent measures. In connexion with these proposals, he must say that he rejoiced at the declaration that had fallen from the noble Lord at the head of the Government. He must say that no speech which that noble Lord had made from that bench that Session, or for many Sessions, held out such a prospect for the relief of Irish distress as the speech he had made that evening. He had promised a substantial poor law for Ireland; he had promised that which the hon. and learned Member for Bath had pointed at as necessary—namely, that the property of Ireland should be responsible for the relief of Irish distress. He did not believe that there was much difference, after all, between the opinions of honest men, although acrimonious feelings had been excited in the expression of them. He did not believe that there was any honest representative —that there was any portion of the representatives of Ireland, or England, or Scotland—who did not wish to see equal justice dealt out between the two countries. This was the object of his hon. and learned Friend the Member for Bath; and he begged to tell the hon. Member for Limerick, and the other Irish Members, that justice from the Imperial Legislature implied equality of burdens as well as equality of rights. The whole argument lay in that. The English people were willing to give their Irish brethren equality of rights, but equality of burdens must be a condition. With the exception of three hon. Members, no representative had proposed amendments on the measures of Her Majesty's Government: although the Member for Limerick had expressed his regret that Ministers had not brought forward a great and comprehensive plan for the relief of Irish distress, still he had not brought forward any plan of his own. The noble Lord the Member for Lynn had acted differently. He did propose a measure which he thought would be a great improvement, and the House had dealt with it. The hon. and learned Member for Bath had adopted a similar course. With regard to the all-important point, about the cultivation of the soil, he was glad to learn from accounts he had himself received, all that was required to enable the Irish people to reap the rich advantage which the present Session held out, was exertion. He suspected that the noble Lord at the head of the Government understood the intensity of the distress which prevailed in England; but he (Mr. Escott) was in a position to corroborate the statements which had been made on that head by the hon. Member for Bath. Had it not been for the meritorious exertions of the landlords in the West of England, the people there must have been in as bad a condition as were the people of Ireland.

Viscount BERNARD had no intention to protract the debate, or impede the progress of the Bill; but he had heard, he confessed with no little surprise, hon. Gentlemen on the other side of the question, taunt those with whom he acted with not having proposed a great and comprehensive measure for the relief of the present distress in Ireland. He (Viscount Bernard) should not occupy the House for any time; but be could not hear such taunts thrown out against the side of the House on which he sat, against the Irish Members and the Irish landlords, without offering a word in reply to them. It was not their fault if the progress of relief for Ireland was impeded, and the debate protracted night after night by the taunts of hon. Members on the other side; but he, for one, should not in that respect imitate them. As far as he was personally concerned, he should have passed over these taunts against the Irish landlords without notice, being only anxious for the relief of the suffering poor; but residing, as he did, in a part of the country where these gentlemen were particularly attacked, he felt it to be his duty to rise and repel the accusations launched against him. The hon. Member for Marylebone had attacked the Irish landlords on a former evening upon the authority of statements made in a blue book; but he cautioned the hon. Member against the assumption that everything contained in the blue books was true; and he cautioned the House against being led away by them. One of the allegations of the hon. Gentleman was, that a nobleman had property in the neighbourhood of Skibbereen of the value of 15,000*l.* a year. But he held in his hand a letter from the agent of a venerable lady in that district, the widow of the nobleman alluded to, in which it was stated that her property in the two baronies of the county of Cork was of the nominal rental of 8,500*l.* a year —that the actual rental was scarcely ever more than 5,000*l.*—and, that during the last year only 2,000*l.* was received from it. A noble and eloquent Lord, in another place, had borne testimony to the great sacrifices that had been made by that excellent lady in the cause of the poor in her district; and, therefore, it was not necessary for him to do more than confirm that noble Lord's statements. [The noble Lord then read a letter, or letters, from Ireland, which were almost wholly inaudible; but which corroborated, as far as could be gathered from an occasional word, his general assertions.] Another gentleman, whom he had the honour to know, was put down in that blue book at 4,000*l.* a year. He had stated his belief that his income did not amount to more than 400*l.*; but he had had a letter from that gentleman, who, he was bound to say, was quite unaware that his name was brought before the public as it had been, in which he asked to be informed as to the intentions of the Government in advancing loans to the landlords of Ireland on the security of their estates, and whether they would introduce a measure to enable the proprietors to dispose of incumbered property; proving a most commendable anxiety on his part to improve his estates, and to give employment and relief to the poor people of his neighbourhood. It was also alleged against the gentlemen of Ireland in his district, that they did not pay up their poor rates; but he held in his hand a paper which showed that out of five rates which had been struck in a year and a half, there was only an arrear of 124*l.* due in that district. The Irish landlords had been charged with an inimical feeling to the introduction of a poor law into Ireland. He had always admitted that it would be better if Ireland and England were upon an equality in that respect; and he believed that to be the sentiment of a great number of the landlords of that country. It was not, however, the fault of the Irish landlords if there was not an adequate poor law for Ireland. There was no opportunity for its introduction. If it had been proposed before the present time, it would have ruined the operation of the existing law. The Government were alone responsible for it. Year after year Irish gentlemen had applied to them to change the present poor law; but it was not changed nevertheless. He urged upon Her Majesty's Ministers, in the most earnest manner, the great danger which would accrue at the present moment if a sudden stop was put to the system of relief upon public works at present existing in Ireland. A letter from his own neighbourhood, which he received that morning, stated, that the stoppage of some of the public works in that district had created the greatest destitution among the poor people. It was impossible that agricultural operations alone could absorb the whole population of the country; and he urged upon the Government the necessity, not alone of not suspending the public works at present in progress, but of bringing forward others. It was not too late for them, even now, to reconsider their determination as regarded the Bill of the noble Lord the Member for Lynn, or to introduce some measure analogous to it in character, and having in view the same object. Among other works which would be of a most remunerative character in every respect, were the neglected harbours of Ireland, in many of which, from the want of the necessary attention and expense, vessels at this moment incurred great risk of danger. A notice was on the Paper of the House, in the name of the Secretary to the Admiralty, for a breakwater and harbour in the island of Portland; but he asked the House and the Government, whether, under the present circumstances of Ireland, the cost of that undertaking would not be better applied to the harbours of that country? The hon. Member for Marylebone had taunted the Irish landlords with having received their rents last year, and with not being prepared against the present contingency; as if human foresight could provide against a visitation of Providence. A most unfounded charge was now made against them. How could they anticipate a famine? They did all in their power, as far as his own knowledge of the facts went, to induce their tenants to cultivate a less destructive crop than the potato; but if tenants on leases refused to accede to their wishes, what could they do?—what power had they to compel obedience to their wishes? The noble Viscount, who was somewhat inaudible, was understood to conclude by expressing a strong hope that out of the present calamity might come a great good for Ireland, and that by its means the people of that country might be induced to forego in the future all political and religious differences, and unite, one and all, for the development of its resources.

Mr. M. GORE bore testimony to the correctness of the hon. Member for Winchester; but that was no reason why they should not extend all the assistance in their power to their Irish fellow-subjects. It was his wish to defend the conduct of the Irish landlords generally; but he was bound in justice to state that he knew many instances of the most praiseworthy conduct on their part. The hon. Member read a letter from a Roman Catholic clergyman, describing the misery existing in Connemara, and stated that a chief cause of the distress in that country was the immense number of small farms; whatever they might do for Ireland would be ineffectual as long as this system of small holdings prevailed. A poor law would be futile as long as they continued to exist; a poor law in Ireland would be impeded in its effect by the want of machinery to work it. Where were the men who could act as guardians? The class that should supply them did not exist. Many of the present evils had been pointed out at former periods; the precarious nature of the potato as a national food had been pointed out in 1823, when an inquiry was instituted into the state of agriculture. But he trusted a better day was dawning on Ireland; even the present afflictions might tend to hasten it. It had been said of the two great calamities that befell the metropolis, that they proved the occasions of exercising great Christian virtues. As to the measures of the Government, and any blame that had been cast on it for what took place last autumn, he was fully convinced of the difficulties it had to encounter. He was convinced no one was more anxious to promote the welfare of Ireland than the noble Lord at the head of Her Majesty's Government; and to measures calculated to prove beneficial to Ireland, brought forward by any party, he should give his support.

Mr. R. A. FITZGERALD did not wish to detain the House from going into Committee, as he perceived evident signs of impatience; but he must express the regret with which he had heard the speech of the noble Lord on a former evening. He had hoped the noble Lord would have proposed some great plan for the advantage of Ireland; and though his feelings were with the Government, he confessed he was disappointed in its policy. He thought indeed the Labour-rate Act would do both direct and indirect good; and he hoped that the efforts made by the Irish landlords at the present time would not be judged only by the sums they gave to public subscriptions.

Lord CLAUDE HAMILTON appealed to the noble Lord the First Lord of the Treasury to alter the day which had been named for going into Committee on the Poor Relief Bill. It would probably have fallen under the notice of the noble Lord, that the day to which the Committee had been postponed, occurred at the very time when the assizes were being held throughout Ireland; and the absence of many hon. Gentlemen desirous of taking part in the discussion on that very important measure, would consequently be occasioned. If, therefore, it was possible, without any serious prejudice, to postpone going into Committee to a still further day, it was most advisable to do so. He made this suggestion in no spirit of opposition to the Government: it was simply a matter of convenience; and he, for one, was not at all scared at the prospect of out-door relief being applied to Ireland.

Lord J. RUSSELL was afraid, if he postponed the Order of the Day for a still further period, the only effect would be that they would fix upon another week, when there would be other assizes, and when the request of the noble Lord would again be preferred by some other hon. Member. The subject was one of great importance, and he was most unwilling to accede to the suggestion. He admitted it was desirable that the representatives of Irish constituencies should be present at the discussion which would take place; and it was with regret he could name no more convenient day. The desire was to send up the Bill as early as possible to the House of Lords.

Lord CLAUDE HAMILTON felt convinced it was only the pressure of public business which put it out of the power of the noble Lord to grant the delay for which he had asked. He was well assured of the earnest anxiety prevailing in that House to pass speedily all the measures calculated to alleviate the distress which existed in Ireland. He tendered his thanks to the English Members for the liberal spirit which they were now evincing towards Ireland. He thought that some hon. Gentlemen had fired up with unnecessary warmth, in answer to the remarks which had fallen from various quarters, in reference to the course which Irish landlords should now take. Some of those observations were, no doubt, offensive; but excellent, and salutary, and perhaps necessary, advice, had thus been conveyed; and, in consideration of the sound sense, the manner and the language in which the recommendation was couched, might have been passed over. It was a humiliating confession certainly; but it could not be denied that there had and still existed in Ireland too strong an inclination to rely, in the hour of need, upon the English Treasury, to the neglect of those means of relief which were at hand at home. It was of frequent occurrence that offence was given, when none was intended; for instance, he had been more offended by the speech of the right hon. Gentleman the Recorder for Dublin (Mr. Shaw), than by any speech he had heard. The right hon. Gentleman had stated that the English Members had proved ungenerous to Ireland in her misfortune. [Mr. Shaw: I spoke only of two indviduals.] Why did not the right hon. Gentleman mention the boundless generosity of the people of England, as evinced in the great subscription funds? The right hon. Gentleman laid too little stress on that point, and paid too much attention to the attacks of individual Members of that House. If he did not mistake, the right hon. Gentleman was one of a party which at Dublin had proposed that all the expenses of the public works should be paid by the Government out of the Consolidated Fund. [Mr. SHAW: I was not.] He had, however, seen the name of the right hon. Gentleman in the newspaper. ["Oh, oh!"] Then he was mistaken or deceived; and it only showed that he ought never to trust to the Irish newspapers.

MR. SHAW, in explanation, said, that after the extraordinary statement of the noble Lord (Lord C. Hamilton), he (Mr. Shaw) must explain, although to those who heard him, it would be hardly necessary, that while he complained of the tone taken by the hon. Baronet the Member for Marylebone (Sir Benjamin Hall), and the hon. and learned Gentleman the Member for Bath (Mr. Roebuck), he (Mr. Shaw) had fully acknowledged the generous feeling which had been evinced by the Government and the English public towards Ireland in the present emergency.

LORD CASTLEREAGH merely rose to express his grateful sense of the great kindness of the House in permitting a night to be devoted to an Irish debate. It could not be desired to throw any impediment in the way of Her Majesty's Ministers; and it would be a great deal better if hon. Gentlemen would reserve speeches and discussions until the intentions of the Government were fully explained. If Gentlemen would peruse with attention the details in those newspapers they were so fond of quoting—if they would only read and reflect on the letter in *The Times* of that morning, from an officer engaged in Her Majesty's service on the coast of Ireland—if they remembered this was only one of many letters which were received every day, and took into account the difficulties with which the Government had had to contend—every one in that House possessed with feeling and discretion would sink his differences, from whatever part of the United Kingdom he came, and give all his assistance, honestly and impartially, in carrying out the plans and seconding the efforts of the Ministry. He sincerely hoped that, after what had fallen from the noble Lord the First Lord of the Treasury, the batteries levelled by the Members for Bath and Marylebone against the Irish landlords would be silenced. He might take this opportunity of saying what he was unable to state the other night, as he was not fortunate enough to catch the Speaker's eye, that he deeply regretted he could not support the Motion of his noble Friend the Member for Lynn. He was convinced, however, that if the Government could have done so, they would have been anxious to propose some measure similar to that submitted to the House by the noble Lord; because if, at any future time, Ireland should be visited by such a calamity as was now afflicting that country—if, for instance, the oat crop should fail—the only mode of effectually distributing provisions throughout the country would be by means of a network of railway similar to that which had been established in England. He believed that, if an extensive system of railways had existed in Ireland, much of the present distress might have been avoided; and he hoped this consideration would induce the Government to give their attention to the establishment of railways in that country. He would intreat every hon. Gentleman who wished well to Ireland and to the empire, to allow the Government to get on with their business—to let the people be fed, and then to discuss other measures if they thought fit to do so.

VISCOUNT DUNCAN assured the noble Lord who had just sat down, that he would most willingly follow the advice he had given to the House; and he was sure that the tone and manner in which that advice had been given, must have been most gratifying to hon. Members on both sides. He had not intended to take any part in the proceedings of the House that night; he had come down in order to listen to the discussion which he expected would take place on the Bill; and it would have given him much pleasure if the House had gone into Committee long before that time. With regard to the charges which he was represented to have made, he could repeat what he before said, that he had read certain statements from an official book, and had requested to know whether it were possible those statements could be true. He had made no charges; and he had been gratified to hear hon. Members of that House declare that the statements to which he had referred were untrue.

MR. S. CRAWFORD wished to notice an assertion which had been made, that Irish tenants showed no disposition to pay their rents or to labour on the ground. He thought it only just to the Irish tenants to say that, in the part of Ireland with which he was connected, they had evinced the utmost willingness to pay rents, and to bestow their labour on the land. He had been much gratified to hear the announcement of the noble Lord at the head of Her Majesty's Government with respect to the Irish Poor Law. He wished, however, to inform the noble Lord, that a resolution against the principle of out-door relief had been signed by upwards of seventy Irish Peers and landed proprietors; for he thought it right the noble Lord should know that, if he intended to proceed with his measure, he must be prepared to encounter a strong resistance. For his own part, he (Mr. S. Crawford) was satisfied that nothing could be so beneficial to Ireland as a proper and efficient Poor Law.

House in Committee.

LABOURING POOR (IRELAND) BILL.

On Clause 1 being read,

MR. GOULBURN wished to call the attention of the Committee to a subject which he thought of considerable importance, as involving a constitutional principle, which, as it appeared to him, would be in some measure violated by the Bill now under their consideration. A power had been given to the Government in the last Session to apply an unlimited amount of money from the Consolidated Fund to a specific purpose. It seems that under the necessity of the case, the Government drew the money from the Consolidated Fund, not for the purpose to which Parliament had sanctioned its application, but for promoting a set of works which had never been in the contemplation of Parliament. The Bill now before the House, however, was merely to render valid the acts of the Government; and it was at variance with all former legislation in cases where the law had been transgressed by the Government for the benefit of the community at large. In previous cases it had been the practice not merely to render valid the acts of the Government, but to indemnify the individual officers concerned in doing any acts contrary to the law. He might mention two instances in which this course had been pursued. On one occasion, when in consequence of a violent hurricane in the West Indies, the governors of those colonies, and the Government at home, thought it proper to admit provisions into the colonies in a manner not authorized by law, as soon as Parliament met, an Act was passed not merely to render valid the proceedings of the Government, but specifically to indemnify all those who had advised any act or done any act in violation of the existing law. In 1826, also, when an enormous rise took place in the price of oats, the Government thought it necessary, by an Order in Council, to admit oats contrary to law; and on the meeting of Parliament a measure was adopted, not only legalizing the act of the Government, but indemnifying all the officers who had been engaged in carrying it into effect. He considered, then, that, in the present case, Parliament having confided to the Government an unlimited power of drawing upon the Consolidated Fund, for a specific purpose, and Government having applied the money it drew under that authority to an object which had not been contemplated by Parliament — there was more than ever a necessity for indemnifying all officers who had acted in violation of the law. He, therefore, took this early opportunity of suggesting to the right hon. Gentleman opposite the introduction into this first clause of the words necessary to indemnify the individual officers who had acted contrary to the letter of the law, but in obedience to the commands of the Government. He also wished to call the attention of the noble Lord opposite to the circumstance that, in the Public Works Act of last Session, there was considerable ambiguity in the clause authorizing advances to be made by the Treasury. The first part of the clause provided, that the sums necessary for carrying on the works should be payable out of a fund limited in amount; so that, by this portion of the clause, the discretion of the Treasury was limited as to the amount to be expended. At the end of the clause, however, there were words stating that the Lords of the Treasury might direct the advance of the said several and respective sums out of the Consolidated Fund. The question, therefore, arose, whether the said several and respective sums mentioned in the latter portion of the clause, were the sums described in the preceding part of the clause; or whether the Treasury were to be empowered to draw upon the Consolidated Fund to an unlimited extent. The Government had construed the clause as giving them an unlimited power; but if those who agreed with him in thinking that their power was limited by the former part of the clause to the sum granted annually for public works, were right, it would be necessary to indemnify all the officers who had been engaged in paying out of the Consolidated Fund a larger amount than was sanctioned by law. It might also be a matter for consideration, whether, if it should appear that the Public Works Act of last Session enabled the Government to make unlimited advances, it was expedient to continue to them so extensive a power. It was a power which, he believed, had never been given to any Government before, and which he thought, on constitutional grounds, it was dangerous for Parliament to entrust to any Government. He begged to assure the right hon. Gentlemen opposite, that he made these suggestions in no hostile spirit, or from any desire to interfere with the arrangements they contemplated; but he thought they ought to be cautious that, in a time of great public emergency, they did not consent to acts which, being in violation of the law, might hereafter be drawn into precedents, and involve a departure from all those guards and checks which were imposed upon the issue of public money out of the Treasury.

Mr. LABOUCHERE agreed that the questions raised by the right hon. Gentleman were of very great importance, and deserved the attentive consideration of the Committee. It was unquestionably of great consequence that, in providing for a period of public exigency, they should not do anything contrary to those constitutional rules and principles which it was of the utmost consequence to preserve inviolate. It was, however, unnecessary for him to enter at length into the questions the right hon. Gentleman had brought before the Committee, for they had already received the consideration of Her Majesty's Government, who were in the main entirely agreed with the right hon. Gentleman as to the course which ought to be taken. It was obvious that proceedings had been taken under the Public Works Act which were not only beyond the law, but against the law, and consequently that the present Bill, which was now merely a Bill to render valid certain proceedings of the Government, ought to be a Bill of Indemnity. With this view a clause had been prepared, which would effect this object, which it was the intention of the Government to propose to add to the Bill, and which, he trusted, would entirely satisfy the scruples of the right hon. Gentleman opposite. As to the other point to which the right hon. Gentleman had referred, he apprehended there could not be much doubt that the Bill of last Session gave an unlimited power to the Government of drawing money from the Treasury for the purposes of carrying out the objects of that measure; and he thought it would not be advisable to divest the Government of that power under the continuance Bill. It was impossible to say what sum might be required; the amount indeed could only be limited by the exigency of the case; and the continuance of the measure would be asked for merely until the public works which had been undertaken were completed.

Clause agreed to.

The remaining clauses of the Bill agreed to.

The House resumed.

FACTORIES BILL.

On the Question, that the Factories Bill be read a Second Time,

Mr. LEADER begged to say, that he thought it most inconvenient that they should that night proceed to read the Bill a second time. The division which took place on the subject was not a fair division; it did not fairly represent the feeling of the House. Wednesday was considered a day for private business, for Railway Bills and similar measures, but not for a Bill of such importance as that to which they were then called upon to give their assent. The hon. Member for Knaresborough might not agree with him in suggesting this postponement, for he was supposed to think the manufacturers the most detestable beings on earth; but he trusted the House would agree with him that they ought not then to read the Bill a second time. Why proceed with it that night—why not appoint next Wednesday for the second reading? He merely mentioned Wednesday, because it unfortunately happened that that was the only day on which the measure had been discussed; and, in fact, he thought that unless the second reading of the Bill was fixed for Monday or Friday, it was utterly impossible that there could be a fair expression of the opinion of the House upon it.

Mr. FERRAND said, that the hon. Member had said that he had stated in that House that the manufacturers were the most detestable beings on the earth. Now, such words never fell from his lips. If they had, he should have been ashamed of himself; and as attacks of this kind had often been made upon him, he begged to say that no man had a higher opinion of the manufacturers as a body than he had. He had many friends among them, and he knew many of them who were a blessing to the neighbourhoods in which they lived.

MR. BICKHAM ESCOTT said, his opinion with respect to this Bill, to a certain degree coincided with that of the hon. Member for Westminster (Mr. Leader); but he was bound to say that he felt on deliberation that the House ought to take the vote of Wednesday last as a vote on the second reading. Therefore he should not offer any opposition to the second reading then; but he begged to give notice, that on the Motion that the Speaker leave the chair on going into Committee, he should consider it a fair opportunity for taking the sense of the House; and it would be his humble duty to move that the House go into Committee that day six months.

Bill read a second time.

POOR LAWS (IRELAND)—POOR LAW COMMISSIONERS.

LORD J. RUSSELL moved for leave to bring in a Bill for the appointment of a board for the supervision of the administration of the laws for the relief of the poor in Ireland.

CAPTAIN PECHELL would take that opportunity of saying, that he, in common with many other Members, thought the time was come when the noble Lord ought to give some assurance to the country that the present Poor Law Commissioners for this country should be no longer allowed to preside over the administration of the relief of the poor. It had been proved by a solemn vote of that House, that they were not worthy to retain their positions, and not worthy of the confidence of the country; and he did think the time was come when the noble Lord, in accordance with his announcement at the beginning of the Session, ought to give notice of a similar measure for England, to that which he had just moved for Ireland. There had been reports in the country that it was the intention of the noble Lord to screen these Commissioners; but he could tell him that nothing would so much tend to lessen the confidence of the country in the noble Lord's Government, as his throwing his power and influence into the scale in order to keep these persons still in authority,

LORD J. RUSSELL thought it was quite necessary after what the hon. and gallant Gentleman had said, that he (Lord J. Russell) should explain the course he intended to take. He had stated on a former occasion that he should propose a different mode of administration of the poor law; but the hon. and gallant Gentleman must be perfectly aware that the House had of late been engaged, and necessarily engaged, with measures for the relief of Ireland, and moreover engaged not only with measures of the Government of that nature, but with the measure brought in by the noble Lord opposite. It would have been, in his opinion, inexpedient and wrong in the Government, if they had said, "We will put aside all these measures for the relief of Ireland, and take the poor law for England instead." He thought it necessary, as the usual time was approaching, that the House should have the estimates of the year before them without any further delay, and that the Mutiny Bill should be passed. He should propose, after that, to proceed with various measures for Ireland, necessarily connected with the Bill he now proposed. In stating, on a former occasion, that he meant to propose a new mode of administering the poor law in England, he had stated at the same time that he did not found the proposed change on the report of the Andover Union Committee; he stated that he founded his proposal on the general experience of the working of the commission, and with regard to matters connected with the duties of the Poor Law Commissioners coming before that House. The hon. and gallant Member seemed to think that the proposal was to be founded on the report of the Andover Union Committee. He repeated that he did not wish to shrink in any way from saying that he did not think the present Poor Law Commissioners were at all undeserving the confidence of the Government or Parliament; but he thought that on other grounds the commission ought to be formed in another way; but if any resolution condemning the conduct of the Poor Law Commissioners were moved, he should feel it his duty to defend that conduct.

MR. SMITH O'BRIEN suggested that it was very desirable that one of the three Poor Law Commissioners in Ireland should always be a medical man.

MR. ETWALL rose to ask the noble Lord a question. He wished to know whether the noble Lord intended that the Poor Law Commission, constituted as at present, was to remain in force for any time longer; for he thought the people of England would not be satisfied that the poor laws should be administered by a commission in which they had no confidence?

Lord J. RUSSELL said, he had already stated that it was not his intention to postpone bringing forward the measures for the relief of the people of Ireland, for the purpose of introducing a measure relating to the poor law England.

Motion agreed to.

House adjourned at One o'clock.

HOUSE OF LORDS,

Monday, February 22, 1847.

Minutes.] Public Bills.—3ª and passed:—Distilling from Sugar; Brewing from Sugar.

Petitions Presented. By the Earl of Roseberry, from Linlithgow, against Prohibition of Sunday Travelling on Edinburgh and Glasgow Railway.—From Killineer, and Tullyuscan, for Alteration of Poor Relief (Ireland) Act.—From Dublin, against the Collection of Ministers' Money in that City.—By the Earl of Roden, from Drogheda, for the Prevention of Distillation of Spirits from Corn for a certain period.—By Earl Fortescue, from the Honiton and Basford Unions, for the Abolition of the Law of Settlement.

DESTITUTE PERSONS (IRELAND) BILL.

On the Motion of the Marquess of Lansdowne that this Bill be read a Third Time,

The Earl of ELLENBOROUGH said, he wished to ask a question of the noble Lord, to which he hoped he should obtain a more distinct reply than he had done on Friday evening. The preamble of this Bill set forth that it was expedient to make provision for the relief of the destitute poor in Ireland for a limited period; and in one of the last clauses there was a provision that after the 1st of October no warrant should be issued to raise a new rate for the purposes of the Act. According to the Act, as it now stood, however, warrants might be issued on the 30th of September, authorizing a levy of rates to any amount. He wanted to know, therefore, if the money to be granted on rates so ordered to be levied on any day previous to the 1st of October, would be applicable to the purposes of the Act at the discretion of the authorities, or if all action under the Bill was to cease on September 30th? He wished to call the attention of their Lordships to this fact. The Bill before them was a temporary poor law; but it was the intention of Government to introduce a permanent poor law for Ireland at an early period of the Session, which would be in operation before the 1st of October. The result would be that money would be collected under rates in Ireland from the same parties, by the same authorities, for two distinct purposes, the one being for the temporary relief of the poor under the present Bill, the other being for their permanent relief under the new measure. He wished to know if there would be any objection to introduce some words into the 21st clause of the Act to define the precise meaning of it?

The Marquess of LANSDOWNE: The sole object of the Bill was to give relief during the period which must elapse before the next harvest. The 1st of October had been fixed upon as terminating the whole of that time. He apprehended it was solely for the purpose of levying rates which had actually been presented for, that the warrant would be issued; and it was an undoubted duty to issue the warrant when the object was relief. It was certainly not intended that the warrant should be issued for any new expenditure extending beyond the 31st of October. The intention was merely to provide for the expenditure already and up to that date incurred.

Lord STANLEY conceived, that the observations of his noble Friend (the Earl of Ellenborough) were well deserving of attention; and he did not think the case, as put by his noble Friend, had been met by the noble Marquess. The case stood thus—the Lord Lieutenant was to issue warrants requiring that money should be paid to the persons appointed by the relief committee; the sums so paid were to be collected by the board of guardians, and were to be paid to destitute persons according to the list sent in by the relief or finance committees. There was, however, no restriction as to the time for which such relief should be required. The relief committee would make out a list of destitute persons, and would give an estimate of the provisions required; the finance committee would then interpose, order the rates to be levied, and send up an estimate of the sum required, but without any intimation of the time during which the relief would be necessary; and then, in the end, the Lord Lieutenant would give a warant to pay to the persons named by the finance committee such sums as had been fixed upon as indispensable. Now, the effect of this would be, that at any period previous to the 31st of October, the finance committee might report to the Lord Lieutenant that a certain number of destitute persons were to be provided for, and that a certain sum was required to relieve them for twelve months. According to this Act, there was no bar to the discretion of the relief committee, and no bar to the discretion of the Lord Lieutenant. An efficient change would be, not to alter the 21st clause, but to place some restrictions upon the power of the relief committees; to compel the finance committee to state what sum for the maintenance of destitute persons was necessary, and for what period, so many months or so many weeks, it was required; to provide that the warrant of the Lord Lieutenant should be only a fulfilment of that recommendation, and that this warrant should not cover a period extending beyond the 31st of October. If the permanent Bill were to come into operation within twelve months, the parties levying under the temporary Act would be distributing funds in different localities, and on opposite principles. He was sure that such a result was foreign to the intention of the framers of the Bill; but without some limitation in the temporary measure as to the time at which warrants might be issued, the two systems would inevitably clash together.

LORD CAMPBELL doubted if inconvenience might not arise from the Amendment proposed by the noble Lord (Lord Stanley). For as he had put it, a warrant might be issued to run from the 30th September. According to the letter of the Act, as it now stood, there certainly was no limit as to time; but the whole principle of the Bill was to leave an almost unbounded discretion in the hands of the Lord Lieutenant, and it was not departed from in this particular instance.

LORD BROUGHAM did not approve of legislating in the dark, where money was to be granted. They should state distinctly the whole operation of the Act, and it would be better to limit the time of the warrants to three months than leave them indefinite.

The EARL of ELLENBOROUGH thought the objection he had pointed out would be met if the noble Marquess opposite would allow the insertion of words in the 21st clause, to the effect that no money should be levied under any warrant to be applied under the provisions of the Act after September 30th, except for the payment of loans.

The MARQUESS of LANSDOWNE said, he would be happy to postpone the third reading of the Bill till to-morrow, with a view to consider the best means of meeting the difficulty raised by the noble Lord, whether by an additional clause, or by the alteration he had suggested.

The EARL of WICKLOW regretted the Amendment of the noble Lord (the Earl of Ellenborough) had not been brought forward at a proper time. As it had not been in his power to attend during the discussion on the Bill, he hoped their Lordships would allow him to say a few words upon it, even on the third reading. He entirely and fully approved of the Bill. He concurred with those who supported it as a temporary measure, called for by a case of urgent necessity, and who, not objecting to it in that light, would be utterly adverse to it if it were introduced as a permanent law. He would just call their Lordships' attention to the twelfth clause of the Bill. The Commissioners were to have the power of determining whether the sum levied for the support of the poor should be struck either on the union or on the electoral division. He did not see why such a choice should be given to that body. He was the more apprehensive on this point, because he heard that the principle on which this Bill was founded, was intended to be transferred to the permanent Poor Law Bill. If the provision by which the rating was made by the union, and not according to electoral divisions, was inserted in the permanent Poor Law Bill, a greater evil could not be inflicted on the country. By the present mode of rating, each parish had a direct interest in keeping down the rate to as low a sum as possible; but when the rating was thrown over the whole union, each parish was entitled to throw as many paupers as it pleased on the common fund. He thought that in the case of large towns, they should be formed into electoral divisions of themselves; and that when the rating exceeded a certain per centage, the overplus should be thrown on the union at large.

EARL FITZWILLIAM quite agreed that to throw the rating on the union at large would be most mischievous, though he did not quite go along with his noble Friend in the opinion that towns should be made electoral divisions of themselves; for this would have the mischievous effect of separating the interests of the town and of the country. He did not see why those landlords who resided in the neighbourhood of towns should, by clearing their estates, relieve themselves from the liability of maintaining the poor; and he was therefore inclined to think that for towns above a certain population, the rating should be levied either on the entire union, or on some district larger than the union. He quite concurred in the opinion, however, that to abolish electoral rating altogether, and throw the burden of the support of the poor on the union, would do away with all incentive to the proper management of landed property.

The EARL of MOUNTCASHEL did not think the difference between towns in Ireland and those in England had been sufficiently considered, the towns in Ireland being more populous—the number of houses being equal—than towns in England; and though it might be necessary to compel the towns to support the paupers in their immediate vicinity, yet the law as to the term of acquiring a right of settlement, ought to be extended to three years, and not kept to twelve months, as was now the case.

The EARL of RODEN had but just returned from Ireland, and he could safely say, that from the suffering which he there witnessed, he thought the sooner they passed the Bill the better. He congratulated Ministers on the measures introduced by Government, for he believed them calculated to maintain the future peace and to promote the future prosperity of Ireland. To be sure they would change the face of society in that country; but was not this absolutely necessary? He considered the foundation of those measures to be that in which it was declared that the Irish nation should support their own poor. And to carry into effect this great change, it was essential to allow those having entailed estates which were mortgaged, to sell part of them, in order to meet the claims to which they were liable. The reason of the landlords of Ireland not being able to support the poor of Ireland, was, because there were many instances of proprieters in Ireland with rent-rolls of 10,000*l.* a-year, and whose actual income was but 2,000*l.* a year, but who were taxed to the same amount as if they had an actual income of 10,000*l.* annually; and therefore he thought the Government should afford some means for allowing portions of the entailed mortgaged property to be sold; and unless they did so, they would legislate uselessly. With respect to towns, he thought that where the population was very large, such towns should be placed upon the union at large; but where the population was small, such towns should be obliged to support their own poor. But he had no desire to throw wilfully any impediment in the way of Her Majesty's Government, to whom the greatest praise was due for the manner in which they had acted under these most trying circumstances.

The MARQUESS of LANSDOWNE said, that the conversation which had just taken place, related not to the Bill before the House, but to another and even more important measure, which they were led to expect would soon be introduced into Parliament. He was not disposed to quarrel with the tendency of the remarks which had been made—anticipating as they did a discussion on some of the most important provisions of the Bill to which he had just alluded. At the same time, if his noble Friend (the Earl of Roden) had been present at the earlier stages of that Bill, he would have heard him announce that whether the taxation should be imposed jointly on the union, or separately on the electoral divisions, was a question entirely open for future consideration. In the present Bill it was absolutely necessary to introduce one form or another; but that did not shut out the consideration of the question when the other Bill came up from the House of Commons. He was sanguine enough to think that the objection to the proposed rating by the noble Earl (the Earl of Wicklow) would be removed, if, in the case of large towns, the electoral division rating was departed from, and the rate thrown over a more extended district than that of the town. In the consideration, however, of annexation of district as to rating, he hoped their Lordships would bear in mind what they (Ministers) held to be a most important principle, namely, that the parties subjected to taxation should be in some degree enabled to qualify and control the amount of pauperism to be provided for. He thought it most important that the landowner—be he great or small, or be he an occupying tenant—being all subject to the pressure of this Bill, should not only have an interest in keeping down the amount of rates, but should, by their exertions, their expenditure, and their care, have the means of preventing expenditure from running to that excess which it generally reached when relieved from the direct control of those from whom it was raised. He trusted that that principle would be steadily kept in view during the progress of that Bill. But when the noble Lord attached so much importance to the substitution of electoral divisions, he (the Marquess of Lansdowne) must beg to remind the noble Lord that the present Bill did not, by any means, repeal the clause introduced by the noble Duke in the present poor law for Ireland as to the subject of in-door relief. For a certain time it was intended to give a certain portion of relief in food, and nothing but food; but it was not intended in any way to interfere with the important principle introduced by the noble Duke as to in-door relief. That question was open for the consideration of the House hereafter. As to the present Bill, he must admit that large discretionary powers were allowed to relief committees constituted under it; and that the relief committees would have the power of determining the mode in which relief was to be given, and how the rate was to be paid. Since the discussion had gone so far, he saw no reason why the Bill should be delayed beyond to-morrow; and he should deeply regret if the Bill should pass unaccompanied by some of those other measures which he was so desirous should pass in conjunction with this, because it was important to place alongside relief so administered good and wholesome employment. With respect to the Bill recommended by the noble Earl, for giving facilities to landlords for the sale of entailed estates in Ireland, he was happy to state that his noble and learned Friend upon the Woolsack was giving his attention to the subject, and that a Bill would shortly be introduced into their Lordships' House to give effect to his suggestion.

The Marquess of WESTMEATH said, that the best feature of the Government measures was their tendency to create a money remuneration for labour in Ireland, instead of the payment in potatoes, or in the letting of a plot of ground.

House adjourned.

HOUSE OF COMMONS,

Monday, February 22, 1847.

Minutes.] Public Bills. —1° Registering Births, &c. (Scotland); Marriage (Scotland); Rating of Tenements (No. 2).

2° Agricultural Tenant Right.

Reported.—Labouring Poor (Ireland).

Petitions Presented. By Mr. Muntz, from Birmingham, for Repeal of Duty on Copper Ores.—By Mr. Alderman Thompson, from Shipowners of Exeter, against Repeal of the Navigation Laws.—By Mr. C. Russell, from Reading, for Repeal or Alteration of the Poor Removal Act.

WESTMINSTER BRIDGE.

Sir DE LACY EVANS put the following question to the noble Lord at the head of the Woods and Forests—What decision the Government has come to respecting the completion of the repairs of Westminster Bridge which have been lately in progress, the widening of the roadway, &c.; or as to the reconstruction of the bridge on, or immediately near, its present site, as recommended by the Select Committee of last Session; it being proper that the various interests concerned should be relieved from the injury of another year's suspense?

Viscount MORPETH said, that with respect to the repairs of the bridge, and the widening of the roadway, so much had already been done, that little remained to do, and the roadway was wider than it had been formerly. As to the proposed reconstruction of the bridge, he would tell the hon. and gallant Member exactly how the case stood. He had communicated to the commissioners for metropolitan improvements, that Government did not feel empowered to submit any proposition for making a new bridge at Charing Cross. Upon this information the commissioners came to the decision that it was expedient to have a bridge at or near the site of the present bridge. As, however, the bridge was now available for public traffic, and as a constant watch was kept that it should be in a trustworthy state; moreover, as an application had been made for a new bridge at the Horseferry landing place; and as, above all, the House would collect from the statement of the Chancellor of the Exchequer that evening, that Ministers were very anxious not to incur any extra charges this year, Government was not prepared to submit to Parliament in the present Session any proposition for a new bridge.

MILITARY SCHOOLS.

Sir DE LACY EVANS asked the following question of the Secretary at War—If we may expect immediately on the Table of the House, to be printed, the report and accompanying documents of the Inspector General of Military Schools, relative to the military schools of France, Prussia, and other States, in connexion with their military institutions, it being important that Members should have the opportunity of considering the information thus obtained before the Army Estimates are discussed?

Mr. FOX MAULE answered, that at the close of the last Session he sent the Inspector General of Military Schools abroad, for the purpose of reporting any information he could collect on the subject, preparatory to the alteration and remodelling of the School of the Royal Military Asylum. On his return, he presented a report to the Government, in which he treated also of some matters not officially referred to him. It was not his (Mr. F. Maule's) intention, as he did not think it would be convenient to the public service, to lay the whole of that report before the House. At the same time, he had no objection, and he would immediately proceed to lay upon the Table such parts of the report as referred more particularly to a system of scholastic military education.

SWITZERLAND.

Mr. M. MILNES rose to put a question to the noble Secretary for Foreign Affairs of which he had given notice. The House would recollect that a few days ago there was laid on the Table, by command of Her Majesty, copies of certain despatches sent by Austria, Russia, and Prussia, to the President and Executive Council of Berne, apparently of a menacing character; to which the President and Council replied in a very energetic and independent manner. It was very generally reported, that the English and French Governments thought it their duty in some way to take notice of those despatches. It was not the habit of the Foreign Office to lay on the Table despatches for the amusement, or even for the information, of Members, unless it were intended to proceed somewhat farther in the business. He (Mr. M. Milnes) therefore, took the liberty of asking the noble Lord, whether he had thought it his duty to take notice of those despatches; and he also begged to be informed, if perfectly convenient, what notice had been taken of them?

Viscount PALMERSTON replied, that the British Government had not felt itself called upon to make any communication to the Swiss Confederation, or to any other Government on the subject of the despatches to which the hon. Member had referred.

PORTUGUESE INSURGENTS.

Lord J. MANNERS wished to know if Her Majesty's Government had received any information respecting the prisoners who had been taken by the troops of the Queen of Portugal in the action of Torres Vedras? It had been stated, that in spite of the compact which had been made with the insurgent force, the persons who were made captive on that occasion were put on board a small ship of war, in which they were to be removed to a settlement on the coast of Africa. He believed that the French Government having come to an agreement with that of England on this point, the representatives of England and France had jointly employed their intercession at Lisbon—that their representations had been attended to, and those unfortunate officers had been sent, not to the coast of Africa, but to Madeira. He wished, therefore, to ask the noble Lord the Secretary for Foreign Affairs, if any official information of the fact had been received, and request him to have the goodness to lay before the House any official information which might have reached Her Majesty's Government of those eventful circumstances.

Viscount PALMERSTON: Her Majesty's Government have received information as to the persons to whose case the noble Lord refers, which tallies very much with the statement he has made. It is supposed that it was the intention of the Portuguese Government to send the officers who were made prisoners on the occasion to which the noble Lord refers, to the coast of Africa. Representations were made from various quarters; amongst others, from the Chargé d'Affaires of Her Majesty at Lisbon, by the French Minister, and by the Belgian Minister; and though I am not able to state anything officially as to the result of the decision which the Court of Lisbon came to, yet it was generally believed at Lisbon that their destination had been altered, and that they were sent to Madeira, or some other island, instead of being sent to the coast of Africa; but we have no positive official information on that subject.

THE PRUSSIAN CONSTITUTION.

Mr. P. HOWARD wished to ask the noble Lord the Secretary for Foreign Affairs a question on a subject which was exciting great interest. That House and the country would have perceived with satisfaction that the enlightened Sovereign who ruled over the Prussian monarchy had given a constitution to his people, of which there could be no doubt they were worthy. He took the liberty of asking the noble Lord, whether it would be proper, either to lay on the Table of the House, or at any rate to place in some collection of public muniments, a copy of that constitution? He was aware that the House and the country took a deep interest in an event which did so much credit to that monarch.

Viscount PALMERSTON said, it was due to his hon. Friend that he should state that a copy of the Prussian constitution did form an enclosure of a despatch which Her Majesty's Minister at Berlin had sent, and therefore it would be possible to lay that despatch and the enclosure on the Table of the House. At the same time he would state to his hon. Friend, that it was not usual, unless some particular object should be in view, for that House to call for the production of a document relating entirely, as the one in question did, to the internal organization of another State. He must, therefore, leave it to the House to decide whether this were a case in which to call for the production of the document. He would rather suggest to his hon. Friend, that perhaps it would be as well not to press his request.

PUBLIC WORKS IN IRELAND.

VISCOUNT CLEMENTS wished to put a question, in the absence of the Chancellor of the Exchequer, to the right hon. Gentleman the Secretary for Ireland. Her Majesty's Government had already informed that House of very great abuses which had taken place on the public works in Ireland; and as he was very much afraid they had been carried further than the mere persons employed on the public works, and had communicated themselves to the funds, he wished to know if Government had taken any and what steps to remove them?

MR. LABOUCHERE said, it would very much conduce to the convenience of the House if Gentlemen would have the kindness to give notice of their questions. He had no doubt that the accounts of expenditure on the public works would be regularly audited; but he was not able to tell his noble Friend, without inquiry, in what manner they would be carried on. He would, however, communicate with the Chancellor of the Exchequer, and state the result to his noble Friend.

COMMERCIAL RELATIONS WITH PRUSSIA.

MR. FINCH said, the House having been informed last Session, on very high authority, that "Prussia was shaken," and the mercantile world having been led to anticipate the concession of very important privileges, he wished to ask the Vice President of the Board of Trade whether there was any immediate prospect of the free admission of British manufactures into the Prussian dominions, or into the States comprehended in the Zollverein?

MR. M. GIBSON must reply to the hon. Gentleman, by saying, that he believed no one was sanguine enough to hope that there was any immediate prospect of the admission of British or any other manufactures free of duty into the Zollverein. There had been an augmentation of duty. He merely stated the fact—an augmentation of duty. The first part of the hon. Gentleman's question referred to expectations that were held out with reference to Prussia; but he would remind the hon. Gentleman, that many other foreign countries had made very material reductions in their tariffs, and admitted manufactures from foreign countries into their consumption.

GRANT FOR SEED IN IRELAND.

MR. B. OSBORNE wished to put a question to the right hon. Gentleman the Secretary for Ireland, of which he had given notice on Saturday. He wished to ask whether Government intended to persevere in making a grant of 50,000*l.* for the purchase of seed in Ireland; and if so, whether it would be given in kind or money, and what were the arrangements intended? The subject was one of vital importance at the present moment.

MR. LABOUCHERE said, Government had requested the Lord Lieutenant of Ireland to issue 50,000*l.* for the purchase of seed, and make such arrangements as he might think best calculated to effect the arrangement in view. He believed these arragements were now under the consideration of the Lord Lieutenant; but he was not yet prepared to inform his hon. Friend of the precise mode to be adopted. This much, however, he was able to state to his hon. Friend, that it was not intended to make any grant of money for the purchase of seed; and whatever assistance was given would not be in money.

DISTRESS IN SCOTLAND.

LORD J. RUSSELL moved that the House should resolve itself into a Committee of Ways and Means.

MR. E. ELLICE, Junior, said, that it was with extreme reluctance he felt it necessary to delay, for a short time, the progress of the regular business of the evening, whilst he called the attention of the House to some facts connected with the destitution which existed amongst the population of the Western Highlands of Scotland. The facts which he was about to mention, would, in some slight degree, militate against the statement which the hon. Member for Inverness made in the House a few evenings since. It was undoubtedly true, as stated by that hon. Member, that the great body of the Scotch proprietors had taken upon themselves the burden of supporting the destitute population, without seeking assistance from the Government: it was equally true that they had made the greatest sacrifices for that purpose; but at the same time, there were not wanting instances of an opposite nature among the Scotch proprietors. Some few proprietors, forgetting the sympathy which was due to their unfortunate fellow-beings at such a moment, and regardless of the calamity which had fallen upon them, had left the destitute population to take care of itself. It was with respect to those persons who had thus neglected their duty, that he particularly wished to call the attention of the House to the facts which he held in his hand. He would avoid making any observations on the subject of the Scotch poor law, because he was unwilling to trespass more than was absolutely necessary upon the time of the House; and also because that measure, which came into operation only last year, could hardly be supposed to have had a fair trial. He held in his hand a report drawn up by a gentleman of high character, who held an important office in Inverness-shire, namely, Mr. Fraser, the sheriff substitute of the county. The principal facts stated in Mr. Fraser's report were comprised in the following summary:—

"Mr. Fraser said, the Edinburgh relief committee had requested him to visit the districts of Moidart, Arisaig, Morar, Knoydart, and Eigg, in the county of Inverness, and Kintail, in the county of Ross, to inform himself as to the state of the people there, of which the committee had, from various quarters, received appalling accounts. The committee had placed at his disposal the sum of 250*l.*, to be applied at his discretion, but with instructions to exact, as far as possible, labour from all able-bodied persons receiving relief. On receipt of this communication, he set out on his mission; and he found a considerable population in almost all those districts in a state bordering on starvation. On Thursday evening, January 19, Mr. Fraser left Fort William, and next night reached Moidart. He found the people in a worse state than he anticipated. He visited every hut, and took down the names and numbers of all the families. There are in independent circumstances, at least not requiring aid (including the Lochshiel family servants and shepherds), 9 families—34 females, 33 males; total 67. The number in a state of destitution is as follows:—

Families.	Females.	Males.	Total.
82.	255.	228.	483.

Of this number, 28 are employed by Lochshiel in draining and road-making, and 3 by Mr. Robertson of Kinloch Moidart. Of the total of 483, there are 138 children under twelve years of age. The gross quantity of meal of all kinds in their houses was 1,835 lbs., affording sustenance, at the rate of 1 lb. per day for each adult, somewhat less than 4½ days. The Poor Law Act is not in operation in this district, but 30 or 40 persons require to be put on the roll. Fever had broken out in Moidart. One entire family, at the Moss of Shiel, consisting of the father, aged 64, and seven children, were labouring under it. The mother was first attacked, and she fell a victim to the disease about a month ago, leaving an infant four months old, and six other children. The neighbours, afraid of infection, would not visit the unfortunate family, and they must have perished but for one young woman, the daughter of John Macdonald, piper, who volunteered to nurse the miserable patients. In Arisaig, the property of Lord Cranstoun, the population is as follows:—In independent circumstances, at least not requiring aid, 30 families, consisting of 102 females, 95 males—total, 197; in destitute circumstances, requiring relief, 138 families; 375 females, 296 males—total, 671. Of the total population of Arisaig, 868, there were thus 671 requiring relief; and among the whole of this number, there were found only about 10½ bolls of meal, affording sustentation for only 2½ days. The people have already consumed all their corn reserved for seed, except 21 bolls. There are only 18 men employed by Lord Cranstoun, and his Lordship has made no provision for paying these men, or furnishing them with food. The people appeared to be completely neglected by the proprietor. Mr. Fraser relieved them with 20 sacks of barley meal, and 12 sacks of Indian corn meal, which he placed under the care of Mr. Macdonald of Glenaladale, to be assisted in its distribution by Mr. D. Cameron, younger, of Inverailort, and Mr. Allan Cameron, merchant, Arisaig. Glenaladale and his family, and Mr. Mackintosh, the Catholic clergyman, had made great sacrifices and exertions to relieve the people of Arisaig. Adjoining Lord Cranstoun's, is the estate of South Morar, of which Mr. Colin Chisholm, Inverness, is judicial factor. The population of South Morar is as follows:—

	Females.	Males.	Total.
Independent ...	30	26	56
Destitute ...	132	110	242

The 242 destitute persons had among them 53 stones of meal, or about 4 days' food. Knoydart has a population of 660 souls, exclusive of shepherds and hired servants. Some supplies had been sent by the Free Church committee, but they are exhausted, and the greater bulk of the people are destitute both of meal and money. Some works were talked of, but no preparations have been made for commencing operations. The most remarkable feature in the case of Knoydart is, that amidst all the privations of the people, the proprietor has about 150 bolls of meal in store at Inveree, which might as well be in China. A great many people went for the meal; but the storehouse was shut up about Christmas, and since then a single pound cannot be had for love or money. Mr. Fraser next visited Kintail, in Ross-shire. A meeting of the clergymen, tacksmen, and others in the district, was held on the 8th inst., as Captain Pole, the Government agent from Tobermory, had come into the loch two days previous in the *Firefly* steamer, having been sent by Sir Edward Coffin, in consequence of alarming information respecting the state of the population. The parish of Kintail contains a population of about 1,100, of whom 950 are in state of destitution! There is no meal for sale in the country, and it was the unanimous opinion of the meeting that within twenty-four hours many hundreds of the people would be suffering the pangs of hunger, without the prospect of relief. Mr. Fraser concluded his report, and various interesting statements, by pressing on the committee the urgent necessity of providing seed, oats, and barley, for the destitute districts. 'Nothing,' he said, 'can be done by the people themselves: the proprietors in many instances do not seem to be making any provision for them, and, I understand, no relief in that shape need be expected from the Commissary General's department."

From other sources he learned that the seed corn was being consumed; and if that should proceed to any extent, it would inevitably be attended with the most disastrous consequences. He now begged leave to read a passage from a letter which he had that morning received from Mrs. Macleod, of Macleod:—

> "Mr. Ellice is perhaps aware of the great exertions her son Macleod has already made. The pressure upon him has become so great that he is now compelled to throw all his unentailed property into the market. About Christmas, he thought by means of the Drainage Act he might get through this terrible year without ruinous loss; but now he sees more into the extent of the evil, and he states that for the two next months the whole population must be supported gratis, while the men are employed in preparing their ground for seed, and seed must be given, or the consequence will be awful. The quantity required for Skye alone will be very large; and Macleod at all events cannot, however willing he may be, raise the sum necessary for his part of the island. His own expression is—'Unless some means are speedily taken to supply these wants, the people must starve; there is no help for it, for the proprietors cannot support them any longer without assistance.'"

Having communicated these facts to the House, he ventured to urge upon the consideration of the Government the propriety of taking steps to ascertain the real condition of the people in the distressed districts, and, if it should appear that the poor law was incompetent to give sufficient relief, of sending supplies of food to be sold at a low price to the proprietors and tenants. He believed, that in many instances, tenants would be glad to purchase at a moderate price, in order to preserve the stock of seed, which otherwise would be taken by the people. It was, he felt confident, only necessary to call the attention of the Government to these facts, to induce them to do all in their power to obviate the disastrous effects which must otherwise ensue.

SIR G. GREY could assure his hon. Friend and the House, that the attention of Government had been most anxiously directed to this quarter. It was too true, he was sorry to say, that most extensive and severe distress did prevail over a considerable portion of the West Highlands of Scotland, in consequence of scarcity. It was equally true, as he had stated before in the House, that the great majority of the proprietors of that district had made the greatest possible sacrifices and exertions to enable them to discharge the obligations which they acknowledged to lie on them, by virtue of their property, to support the people when reduced to this distress by the want of their ordinary supplies. That there had been exceptions to this conduct also, it was impossible to deny: he hoped, however, that these had been comparatively limited. The report to which his hon. Friend had adverted, as having been made by the sheriff-substitute of Inverness-shire, he had not seen in the form in which his hon. Friend had cited it. That gentleman undertook a mission to a portion of the country in which distress principally prevailed, at the request of the Edinburgh desitution committee; not the board for the relief of the poor, but the committee which had charged itself with the distribution of the funds collected by voluntary contributions for the relief of the distress. But some letters addressed by Mr. Fraser to a right hon. Friend of his had been received, which he had no doubt detailed the same facts as were stated in the report. These facts certainly showed that in many places the proprietors had, probably from ignorance of the real state of the population on their estates, failed in quite discharging the duty which, in a great majority of instances, they were ready to acknowledge. But inquiry had been directed into all the circumstances connected with the distress wherever it prevailed, which would be conducted either by the board of supervision, or under the authority of the agents of Government; and the head of the commissariat in Oban had been instructed to see that steps were taken to provide assistance for every place where it was alleged that the people were in severe suffering, by the want of supplies, or deficiency of the ordinary means of conveyance. A few days ago he had received a letter from Sir John Macneill, the president of the board of supervision, inclosing an extract from the minutes of that board, in which they directed that in consequence of the distress which prevailed in certain parts of the country inquiries should be instituted, and the inspectors were to relieve the wants of paupers in cases of emergency, and to unite with the other officers of the board in seeing that the poor law was fairly carried out. Captain Cowan, who had been extensively employed on the coasts, had received orders, which had for their object to maintain the supplies of food in the distressed districts. He wished also to state the course which Government had taken with respect to any individuals who seemed to have neglected the duties devolved upon them by their position. Information of the state of the district had been sent without delay to the proprietor; and he believed the general effect to have been, that those who from various causes had been less alive than others to the emergency, had been stimulated to increased activity; and he trusted to the combined exertions of the proprietors, aided by such assistance as Government had been able to give them, and was still prepared to give them, for preserving them from the worst effects of a a calamity which had afflicted them, in common with Ireland.

Mr. H. J. BAILLIE regretted to say that he was under the necessity of corroborating the statements of his hon. Friend the Member for the St. Andrew's district of burghs. He had received a letter from Macleod of Macleod, which stated that the whole population on his estate, consisting of 2,000 persons, were entirely destitute, and it was utterly impossible that he could continue to support them without assistance.

Sir G. GREY said, he perhaps ought to mention that two frigates remained stationed at Tobermory and Portree, containing Government meal; supplies of which were conveyed to them by the steamers despatched to that coast. Very large quantities still continued to be sold from those depôts.

Mr. GOULBURN was enabled to state, with reference to Mr. Macleod of Macleod, that not only had that gentleman contributed to the relief of the distressed people from his own means, but that he was doing all in his power to exert his influence with others to the same effect. If, therefore, there could be a special case which entitled any district more than another to the support and assistance which Government were enabled to afford, it was a district like this, in which such large demands were made on those who not only had, but felt, a duty imposed upon them.

Mr. P. SCROPE said, it was highly praiseworthy of those landlords who had taken care of their poor, and it was equally reprehensible of those landlords who did not support their poor. But what was still more reprehensible was, for Government to allow the poor to remain at the mercy of any landlord; and there ought to be an efficient poor law to obviate the evil. In reading the report of the board of supervision, he had had great pain in observing that the poor law had not been brought into operation in half the parishes in Scotland. It was wrong to leave it within the power of any landlord whatever to allow the population to remain starving.

Major MACNAMARA said, there was not a man in his part of the country who had not done his duty; and as for himself he was the largest contributor in the county of Clare.

Mr. J. STUART said, with respect to the present state of the people in the Isle of Skye, he hoped he should be pardoned for calling the attention of the House to a letter he had received from one of the proprietors, whose name had been mentioned on that and previous occasions, Mr. Macleod of Macleod, giving his account of the sufferings of the people upon his estate from the effects of the existing distress:—

> "Almost every man on my property in one parish, to the number of between 300 and 400, have now received advances of meal and other food to the amount of between 5*l.* and 6*l.* each on an average. They become more clamorous every day. Meal being in store, I cannot let them be starving; but to expect repayment I feel utterly hopeless. About forty men came down to-day, and said, if they did not get meal I had better order their coffins; yet these very people I have supported for the last two months, at the cost of 5*l.* to 6*l.* on an average. But to see them at last brought to such a miserable state, and the whole thrown on me, I cannot stand it."

Whatever might be said as to the operation of the poor law, he could not help thinking that the country was very much blessed in having within it a landlord so conscientious as he who had written this letter; and that the House would be of opinion that under such circumstances he was doing his utmost.

THE BUDGET.

The CHANCELLOR of the EXCHEQUER said: Although I have little doubt that the important subject on which I am about to address this Committee will insure me its attention, I, nevertheless, hope that I shall not appeal in vain for the indulgence of hon. Members during the statement which I am about to make; for, though I am unwilling to shrink from the performance of a duty which a person holding the situation I have the honour to fill is bound to discharge, I feel that I am not very able to make the necessary effort. I hope, also, that the same circumstance to which I have alluded, will plead my excuse for making my statement as short as is consistent with making my meaning clear, and for confining my observations as nearly as I can to what is absolutely necessary to place before the Committee the financial state and financial prospects of the country. I may further venture to claim the indulgence of the Committee upon this ground, that it is many years since a Chancellor of the Exchequer had to make so heavy a demand on the Treasury, as it is my fortune to have to make to-night; and I hope many years will pass away before a similar calamity may entail the necessity of making a like financial effort. The Committee must be aware, that the calamity to which I allude, is one which no prudence, either on the part of the Government or the Legislature, could possibly have averted. It has pleased Providence to afflict not only this country, but the greater part of the rest of Europe, with scarcity and dearth, which have pressed with peculiar severity on that part of the United Kingdom which, from its poverty, is least able to bear it. Thousands of suffering and famishing people, chiefly in Ireland, claim from us sympathy and assistance, which I am confident will not be withheld from them. If I were only to refer to the past and the present state of the finances of the country, I should certainly say, that there never was a time when the finances of the country were so well able to bear the demands which are now about to be made upon them. Members have had in their hands for some time the balance-sheet up to the 5th of January, from which it appears that at that time there was a balance in the Treasury of upwards of 9,000,000*l.*; and for the first time, I believe I may say, in the memory of any person conversant with financial matters, it has been unnecessary to have recourse to deficiency bills; and the quarterly balance in the Exchequer has been sufficient to defray the payment of the dividends. If we refer to the great items of revenue, we shall find that their produce exceeds the most sanguine calculations of my right hon. predecessor in office, when he made his financial statement last year. If we refer to the Customs, we find the produce of every article, for nine months, from April to December—with the exception of those articles on which duties were reduced—considerably higher than in the corresponding nine months of the preceding year. If, again, we look to the Excise revenue, we find that last year every material article of duty, with the exception of soap (caused, I believe, by accidental circumstances which occurred at the commencement of the year), has increased—ay, even including that item with respect to which the hon. and gallant Member for Lincoln has so frequently expressed his apprehension—I mean the posthorse duty. If we look even further, and take the produce of duties to the latest moment to which the accounts have been made up, namely, Saturday the 13th of February, I find that there is an increase in the ordinary revenue, as compared with the corresponding period of the preceding year, of nearly half a million. I must say, then, that we have great reason to be thankful that the demands which, owing to the exigencies of the country, press upon the Exchequer, come at a time when, at any rate, we are not unprepared to meet them. At the same time, I am conscious that I should only be holding out delusive hopes if I were to say that we are entitled to expect a continuance of the present financial prosperity. I think there are circumstances which must be obvious to the most common observer, and which indicate that we may anticipate the recurrence of one of those periods at which the onward progress of the country may experience a check. It is notorious, that in commercial as well as political affairs, the progress of a country is seldom uninterrupted by periods of occasional pause. Such was the case after 1825; such, again, was the case after 1836; and, after the unexampled prosperity of the last one or two years, I am afraid circumstances may arise to retard the progress of commercial and financial prosperity. I do not anticipate anything like the revulsions which have taken place on former occasions—there is no symptom of that; and I should be sorry to say anything calculated to excite alarm. I confidently trust that the experience derived from former years has not been lost upon the great body of our merchants and traders; and I hear from all quarters that the trade and commerce of the country never stood on a sounder footing, free from that speculative character which has characterized former years. I am inclined to attribute much of this to the excellent Bill for regulating the currency of the country, which the right hon. Baronet opposite (Sir R. Peel) introduced and passed into a law. I believe that, but for that Bill last year, when the world was not in quite so sober a mood, and as free from speculation as it is now, we should have witnessed great distress. I believe, also, that many persons who were most adverse to the Bill at the time it passed, have, from witnessing its operation last year, become converts to the opinion favourable to its wisdom. I am of opinion that not only the provisions of that Bill, but also the sound principles respecting the currency which were enunciated during the discussions upon the measure, have induced persons to pursue a more wise and prudent course than upon former occasions. The result is, that there has been less of the wild spirit of speculation apparent, than is connected with the history of some former years. People have invested their money in works at home, instead of Mississippi stock or Pennsylvanian bonds. Capital has been applied principally to the construction of great lines of communication throughout the country, affording employment to large bodies of the people, and benefiting the Exchequer to a considerable extent. I am confident, therefore, that no such unfortunate results will ensue as have occurred upon former occasions; but, nevertheless, we should be regardless of all experience, were we not to anticipate that the present high price of food, the consequence of scarcity, will produce its accustomed effect in diminishing the comforts of the people, by abridging their power of purchasing articles of necessity. The high price of food presses, I am sorry to say, upon the means of existence of many, but it must tell upon the comforts of nearly all classes of society. I am speaking now of this country, without the slightest reference to the condition of Ireland. Looking to the high price of provisions, it is impossible to believe, that after providing themselves with articles of necessity, people can have so much to expend upon those articles which contribute to the customs and excise duties. I was indeed surprised, on looking at the customs and excise duties, to see the enormous amount paid by articles of consumption. I find that the total produce of the customs and excise duties for last year, ending on the 5th of January, was 34,557,000*l.* Of this gross sum, articles of food contributed 5,530,000*l.*; liquids, such as wine, spirits, tea, coffee, and beer, 21,787,000*l.*; tobacco, 4,336,000*l.*; making the total amount of revenue produced by the duties on articles of subsistence, solid and liquid, including tobacco, 31,653,000*l.*, out of 34,557,0000*l.* It has happened, unfortunately, that cotemporaneously with a high price of food, there has also existed a high price of one of the staple articles of manufacture—cotton, which has to a considerable extent caused diminished employment in the manufacturing districts. I hold in my hand a comparative statement of the working of the mills in the borough of Manchester on the 9th of January and the 3rd of February of the present year. It is as follows:—

	Jan. 9.	Feb. 3.
Mills stopped	10	13
Mills working short time	52	58
Mills working full time	113	104
Total	175	175

	Jan. 9.	Feb. 3.
Number of hands fully employed	28,845	22,945
Number of hands working short time	11,851	13,806
Number of hands stopped and out of work	1,691	2,638
Total	39,387	39,389

It must be apparent at once, that the state of things which the paper I have read indicates, must seriously affect the power of consumption in the manufacturing districts. Nor is it this country alone which is afflicted with a scarcity of food. In France, Belgium, Germany, Italy, and Poland, a similar scarcity has been felt, and there has been a considerable demand for bullion, for the purpose of paying for the very extensive importation of grain. The natural consequence has been, a pressure on the money market, and a rise in the value of money. The difficulty of obtaining money, necessarily operates to a certain extent in limiting the operations of commercial enterprise. It is, however, very satisfactory to find, that, notwithstanding the unfavourable circumstances to which I have adverted, the amount of bullion in the coffers of the Bank of England at present is only 1,177,000*l.* less than it was at this time last year. On the 14th of February, 1846, the amount of bullion in the Bank coffers was 13,476,000*l.*, and on the 13th of February, 1847, it was 12,299,000*l*. I am almost surprised at the small amount of bullion sent out of the country; and the circumstance is satisfactory, inasmuch as it proves that the enormous importation of corn and other food, which has been going on for some time past, has contributed to the prosperity of manufactures, by creating a great demand for manufactured goods, which have been sent to America and elsewhere in payment for grain. I am happy to find that by the most recent accounts, there is not the same demand for gold that has heretofore prevailed. It likewise affords me much gratification to be able to state that the great banking establishment of France is better able to meet the demands upon it than it was some time ago. I say that it gives me pleasure to state that, because it is impossible for any misfortune to attend the currency and commercial interests of France, which would not tell and react upon us. I think I have now stated enough to show that there are circumstances connected with the present condition of the country which call for the exercise of caution; and I should be aiding a delusion, if I were to express an opinion that the present prosperity can continue without a check. For the reasons which I have given, I feel confident that no serious misfortune will occur; I think it my duty to say enough to prevent those unreasoning expectations of uninterrupted prosperity, which some Gentlemen are too prone to entertain. I will now turn to the more immediate subject of this evening, the financial statement which it is my duty to make. The right hon. Gentleman who preceded me in office made his financial statement on the 9th of May last year. He stated that he anticipated a surplus from the ordinary revenue of 76,000*l*., and from extraordinary sources, namely, money from China, of 700,000*l*., making a total of 776,000*l*. By subsequent legislation, foreign sugar was made admissible into this country; and in nine months, from April to December, the duty paid on the foreign sugar imported amounted to 304,000*l*. That, of course, is an item which the right hon. Gentleman could not calculate upon when he made his financial statement; but, adding the sum derived from the sugar duties to that which the right hon. Gentleman anticipated, it would give a surplus of only about a million of money. If, however, hon. Gentlemen will refer to the balance-sheet of the 5th of January, they will find that the produce of the revenue far exceeds this calculation, for the surplus amounts to 2,846,000*l*. The progress of the revenue since the 5th of January has exceeded again, beyond all expectation, the produce of the corresponding quarter; and I think the probability is, that I should be fully justified in stating, that when the period comes to which the calculations of the right hon. Gentleman referred, his calculation will be still more exceeded, and that the surplus on the 5th of April will be even still more considerable than that which I have stated as the surplus on the 5th of January. I have, however, based the calculation which I am about to state, on the produce of the revenue up to the 5th of January last; and, proceeding upon that basis, I shall state to the House what I calculate to be the probable income of the year from the 5th of April next, to the 5th of April, 1848. It will be observed that the produce of the customs duties, up to the 5th of January last, was 20,568,900*l*. Of that, a considerable amount was the produce of corn, no less than 793,000*l*. In consequence of a suspension of the duty upon corn for the first six months of the next financial year, it will be obvious to everybody that from that source we can expect no income for those six months. What the harvest may be, and whether it may be possible or expedient that the duty upon corn should be levied for the remaining part of next year, it is impossible now for any man to state; but, supposing the whole duty were to be given up, I do not think I should be warranted in making a deduction from the amount of the last year's customs duties to the extent of the corn duty received in that year, because, from every account which I have received of the probable importation of sugar, I have reason to believe that a very material increase of revenue will be derived from that source in the course of the ensuing year. But, more than that—there are three items, and only three, upon which the customs duties fell off in the course of the last nine months—articles upon which the duties were reduced, but the import of which has considerably increased; they are butter, cheese, and silk manufactures. I find that in the nine months from April to December, the butter imported in 1845 was 201,000 cwt.; in 1846 it was 217,000 cwt. Of cheese, the quantity imported was, in 1845, 202,000 cwt.; in 1846, 265,000 cwt. Of silk manufactures, 218,000 lb. in 1845; 297,000 lb. in 1846. Here again is an instance in which a reduction of duty tends to promote an increased consumption of the article, affording a prospect that, before long, the amount of duty received, may by an increased importation be equal to the duty originally obtained. Taking all these circumstances into consideration, and after communicating with the Board of Customs, I believe I shall be entitled to assume that the probable income from the customs duties in the next year will not be less than 20,000,000*l.* I hope that, if trade goes on well, the income from this source may be higher; but I believe I am fairly justified in assuming it at 20,000,000*l.* I have already said, that up to the present time, since the beginning of the quarter, both the customs duties and the excise have increased; the increase of the customs duties in these six weeks having been no less than 245,000*l.* I now come to the Excise. The produce of the excise, up to the 5th of January, was 13,988,000*l.* Nothing can be so remarkable as the extraordinary increase of the excise duties for the last year—I mean the excise duties generally—upon articles of consumption, particularly malt and hops. I do not know that we can expect these to continue; but nevertheless in many respects the excise duty is far more certain than the customs. In many articles the charge is made, and is known, before the money is actually received; and therefore we can ascertain with certainty what the amount will be. Here, then, after communicating with my Friend the chairman of the Board of Excise, I think we may fairly reckon upon an income of 13,700,000*l.* in the ensuing year. The increase upon the excise since the beginning of the quarter has been no less than 106,700*l.*; and it is not a little remarkable that, even in Ireland, the excise duties have increased, and not to an inconsiderable amount, in the course of the last year. Next, the stamp duties produced, in the year ending the 5th January, 7,505,000*l.*; I will assume them at the same sum. The taxes, land and assessed, produced 4,272,000*l.*; I know no reason why they should not produce the same next year—or, say, 4,270,000*l.* The property tax produced 5,395,000*l.* There was some small account of extraordinary payments, and therefore, although the property tax too since the 5th of January has increased by 169,000*l.* above the corresponding period of last year, I will assume the property tax at 5,300,000*l.* only. For the Post Office, I will take the same amount as last year, 845,000*l.*; 850,00*l.* I believe was what the right hon. Gentleman opposite (Mr. Goulburn) calculated. The Crown lands I will take also at the same sum, 120,000*l.* The miscellaneous items of revenue produced, up to the 5th of January last, 427,000*l.*; the calculation of the right hon. Gentleman was 300,000*l.*; but subseqently to that calculation there was paid in a considerable amount from the surplus fees of this House, which will, in all probability, not be so large in the course of the present year; I believe, however, I may calculate upon about 30,000*l.* from that source, and, therefore, I take the miscellaneous sources of income at 330,000*l.* This, therefore, will make the ordinary revenue for the financial year 1847–48 52,065,000*l.* as follows:—

Customs	£20,000,000
Excise	13,700,000
Stamps	7,500,000
Taxes (Land and Assessed)	4,270,000
Property-tax	5,300,000
Post-office	845,000
Crown Lands	120,000
Miscellaneous	330,000
Total ordinary income	£52,065,000

I now come to the Expenditure. The interest of the debt, funded and unfunded, will be 28,045,000*l.* The estimate of the charges upon the Consolidated Fund, omitting any charge on account of Irish distress, is 2,522,420*l.*; to which must be added that charge which was announced by the right hon. Gentleman last year, of 175,000*l.* for the Irish constabulary, hitherto defrayed by the Irish counties; and these two items will make, in round numbers, 2,700,000*l.* The amount for the national debt and Consolidated Fund charges, therefore, will be 30,745,000*l.* The estimates for the various services, except the Miscellaneous, are all upon the Table of the House; and, therefore, I need only state them very shortly to the House. The Army Vote will be 6,275,074*l.*; I take the militia at the same amount as before, 155,000*l.*, but there is an increase in the commissariat, which amounts to 410,000*l.*; making the whole Army Vote, therefore, stating it in one sum, 6,840,074*l.* There would have been a decrease of 33,000*l.* upon the War Office Vote, but for a deferred estimate for certain services for one quarter of the year. The Navy

Vote, for the present year, will be 7,561,876*l.*; being an increase of 77,000*l.* The estimates for the last two years have been below the expenditure which has been incurred. I shall have, Sir, by and by, to ask a vote to cover an excess of expenditure in the year ending April last; and I am afraid the arrangements which were made early in the year are such that there probably may be an excess in the expenditure of the present year; a considerable portion, therefore, of the increase which I have stated, is only to bring up the estimate to the expenditure. We have also increased the number of the marines by the amount of 1,500 men. My hon. Friend who will have to move the Navy estimates, will state this further in detail upon that occasion; but I thought it desirable to make this short statement of the sums. The Ordnance Vote will be 2,679,127*l.*; this is an increase above the vote of last year, but of that increase 77,299*l.* are due to a deferred quarter of the year's vote for certain services, which, by an arrangement explained to the House last year, was resorted to for the purpose of bringing the Ordnance estimates as well as the Army estimates into proper order: the remainder of the increase is partly owing to an increase of the artillery, amounting to 1,200 men, and partly to the necessity—in consequence of the change in the modes of warfare accomplishing by the introduction of steam power—of putting many of our great ports into a state of better defence. The sum of the miscellaneous votes is 3,750,000*l.* I have left out of the miscellaneous votes of this year, any sum for the relief of the Irish distress; and, therefore, in stating the comparison with the miscellaneous estimates of last year, I am bound also to omit a sum of 132,000*l.* included in the right hon. Gentleman's estimates. Comparing, therefore, the miscellaneous estimates of last year with those of this year, there is an increase of about 397,000*l.*; but 171,000*l.* of that is owing to the expenditure for certain purposes connected with the poor law, and with the prosecution and maintenance of prisoners, which had to be taken for only half of the last financial year, while, of course, I am obliged to provide for the whole year; and of the remaining increase, a considerable portion is due to the necessity of providing for the maintenance of convicts at home, instead of sending them to the colonies; and a considerable portion also to the increased printing and stationery which this and the other House of Parliament require; and some also to an unexpected increase in the expenses of the Houses of Parliament, and to other sources, which perhaps I had better defer stating till those estimates are on the Table. The whole amount to be voted in estimates is 20,831,077*l.*; making the whole ordinary Expenditure 51,576,077*l.*

National Debt . .	£28,045,000	
Consolidated Fund Charges	2,700,000	
		30,745,000
Army		6,840,074
Navy		7,561,876
Ordnance		2,679,127
Miscellaneous		3,750,000
Total ordinary Expenditure .		£51,576,077

Now, in the statement which I have made to the House, I have purposely omitted all sums required for the relief of distress in Ireland, whether by grant or loan, or in whatever shape that expense is to be incurred, with the exception, of course, of the payment of the ordinary establishment of the Board of Works, and the payment of such officers as would otherwise be employed in Ireland, although at the present time they may be employed in the aid or relief of the distress. And now it becomes my duty to state what I think the demand upon the Exchequer will be for the relief of that distress; and I must beg the Committee to observe, that what is material to the present purpose is not what may be the ultimate charge to the country, but what the sum is, which must be, in the course of the present Session issued from the Exchequer; because the system which was commenced about this time last year, and has continued since is this—that all the money required for this public relief of distress is, in the first instance, advanced by the Treasury; whatever burden may ultimately be thrown upon the land of Ireland, or upon the property of Ireland, in respect of this expenditure, hitherto they have paid nothing. They have paid, no doubt, the poor rate, which I find in 1846 amounted to about 390,000*l.* They have paid of course their subscriptions to the relief committees and the relief fund, and I believe a large body of the Irish landlords have employed to a very great extent the poor and destitute persons in their neighbourhood; but I am confining myself now to the relief works, and that mode of administering relief which has hitherto been adopted in Ireland; and as to that, whatever the repayment may be, and whenever the repayment may be, the whole sum is at present advanced from this country, or rather from the public treasury; and that system, I believe, must be continued for the present season. It is not easy to state very nicely what the amount of expenditure may be, for it depends upon a number of facts over which we have no control, and which we cannot very accurately foresee. It is easy enough to state what the expense in various ways has been up to the present time. I stated a night or two ago, in answer to my noble Friend opposite (Lord G. Bentinck), that the expenditure on works in Ireland in the four weeks of November was 308,000*l.*; in the five weeks in December, up to January 2, 742,000*l.*; in the four weeks of January, 776,000*l.*; and up to the present time the number of persons relieved in this manner has been increasing with frightful rapidity. At the end of September, the number of persons employed was 30,135; at the end of October, 150,259; at the end of November, 285,817; at the end of December, 440,687; at the end of January, 571,000. The expense of the permanent staff of the Board of Works, for the month of January, was 20,500*l.* The commissariat officers are partly withdrawn from other employments, and partly additional persons employed under Sir R. Smith; the expense of their pay for a year is 27,500*l.* We have expended up to this time, in the purchase of grain, 295,000*l.*; but the major part of this, nearly the whole in fact, will be repaid to the Government when the sales take place from our depôts to the relief committees. The issues to Ireland from the Exchequer, under what is called the Labour-rate Act, up to the 20th of February, were 2,400,000*l.*; and on the 13th of February, nearly 2,000,000*l.* of that sum had been issued to the Board of Works by the Paymaster of Civil Services in Ireland. I do not think I am safe in saying that the expenditure per month will fall very far below 1,000,000*l.* It has amounted in the month of January to about 800,000*l.*, not including all the expenses which are incurred. I have no doubt it will vary materially between this and next harvest; the pressure upon us will of course, to a certain extent, be taken off during the employment which seedtime affords, and, on the other hand, the summer months are notoriously those in which destitution prevails to the greatest extent in Ireland. The number of persons who were employed on the public works in June, July, and August last, exceeded those who were employed in the earlier part of the year. It is in reference to these three months that the statement of my hon Friend was made, when he said that upwards of 2,000,000 of the Irish people were habitually in a state of utter destitution for about three months of the year. Again, I expect we shall effect a saving, and not an inconsiderable one, by the different mode of administering relief which we propose. I believe that the administration of relief by soup-kitchens and relief committees will be considerably cheaper than through the exclusive medium of the Board of Works. This is so far satisfactory; but, looking to the appalling destitution which prevails throughout the country, and bearing in mind how complete is the failure of any domestic sources for supply of food, it must be evident that it is at least quite possible that the numbers applying for relief may very considerably increase. This contingency is of essential importance to bear in view. It is to be hoped that it will not arise; but it would be well to be in a position to meet it in the event of its arising. No doubt a considerable number of persons will be taken off from the relief works by the employment which will be afforded under the Bill to assist landlords to carry out improvements upon their estates. I believe that that Bill will work well in Ireland, and, from all the accounts I receive, I am induced to be sanguine in my expectation of its effects. But here, again, advances are to be made by the Government; and though the operations under this Bill may tend to lessen the pressure on the relief works, yet they will not in the first instance diminish the sums to be advanced by the Exchequer. Even with the most sanguine expectation as to the produce of the next harvest, and the effect that may be produced in the way of finding employment for the people, yet it is impossible to suppose that all exertions on the part of the public would cease at once at the harvest time. It is quite clear that not only advances for the improvement of estates, but for carrying on works, will be continued for some short period at least, under the most favourable supposition, even after the period of harvest, and time will be required to wind up and bring to a close the gigantic operations which are now carried on. Taking, therefore, a reasonable estimate of the probable demands on the public Treasury for this purpose, I cannot certainly estimate them at less than 8,000,000*l.* I have already stated that, up to the present time, the sum of 2,000,000*l.* has been advanced; and I therefore estimate that the total sum required to be expended or advanced, granted or lent, for the relief of distress in Ireland, will not be less than 10,000,000*l.*, for a period of about a year, namely, from August last till about the conclusion of the next harvest. I think that under these circumstances the Committee will not be surprised that the Government resisted the demand of the noble Lord opposite (Lord G. Bentinck) for 16,000,000*l.* additional; and I do not believe that even if that sum had been advanced, it would have been possible to save a single sixpence of the 10,000,000*l.* obliged to be expended by the Government. I was not able to take part in the decision of the House on that question; but I must say that I was gratified at learning the majority by which this House came to so wise and prudent a resolution as that which it adopted. The announcement which I have next to make is one which must be obvious to every Member of the Committee, namely, that I must go into the money market and borrow. It must be evident that no amount of taxation, not the income tax, doubled or trebled, nor the reimposition of all the taxes which have been taken off, could, within the required time, provide the necessary money. It is matter not of choice, but of necessity, that I must go into the market and borrow. Of course, the first question that presents itself is whether I shall borrow the whole 8,000,000*l.*, or endeavour to go on by borrowing only a part. If I adopt the latter course, I must considerably reduce the balances in the Exchequer; from which source up to the present time the advances have been made. For many reasons this is a course which I am exceedingly unwilling to take. I think that any person, when he looks to the state of what is called the money market of this country—when he finds that the exchanges have been adverse, though I am happy to say that they are less so now than they were, but still are only just on the turn—when he recollects the necessity which the Bank of England has felt itself under of raising the interest of money, he will come to the conclusion that, under these circumstances, it would be exceedingly injudicious in me to put any further pressure on the Bank of England or the money market, particularly as, under the operation of the Bill of last Session, by which the House pledged itself to make advances to England, Scotland, and Ireland for draining and improving; advances—sums to no inconsiderable extent—have been applied for; and of course the balances in the Exchequer are the source from which they are to be made. But there is still a further and a more pressing reason for avoiding this course, and one which I do not see how it can possibly be got over; and this consists in the uncertainty which hangs over us as to what the produce of the next harvest may be. No man can tell how the next harvest may turn out, and no man can estimate too highly the importance of a good harvest. Hitherto, in respect to the imports from other countries, we have been living mainly on the surplus of the harvest of 1845; and to some extent also on the produce of the harvest of 1846. In the course of the last year there have been entered for home consumption of grain and flour of all kinds not less than 5,318,000 quarters. I take the grain and the meal reduced to equivalent quantities. It is notorious that we have the hope of a considerable import of Indian corn, the produce of the harvest of 1846; and I am confident we shall have an abundant importation from America in the early part of summer; but by the next harvest time the produce of preceding harvests will be to a great extent exhausted. It may please God to grant a good harvest throughout the world in the present year; but, unless that merciful dispensation should be vouchsafed, it is impossible to calculate what the consequences may be. In the present uncertainty, therefore, on this subject, it would be most unwise in me not to keep in reserve the means of meeting such evils as we have hitherto been enabled to meet, owing to the large balances in the Exchequer, which furnished us during the last autumn with the power of meeting the calamity. Under these circumstances, I should never forgive myself if I left the Exchequer without the requisite resources, partly to be secured by the loan which I propose to make, and partly by the balances. I propose, therefore, to leave to the Exchequer the means of meeting any extraordinary demand that may arise, at least until the Parliament can be called together. Every one will hope that such a necessity may not arise; but in the uncertainty in which we are placed, it would be unwise to leave ourselves without resources. Consequently, I believe that the wiser and more prudent course is at once to borrow the whole of the required money. In doing so, I shall not make a permanent addition to the public debt to the whole amount of the money borrowed, because a considerable proportion of it is ultimately to be repaid by the Irish proprietors. With respect to the expenditure on the public works, one-half is charged on the property of Ireland, repayable in ten years; and these payments, as they come in, will of course extinguish an equal portion of debt; and the remainder being half the whole amount, or 4,000,000*l.* or 5,000,000*l.*, is, after all, not so large a sum, considering the object for which it will have been advanced, viz., the relief of our suffering fellow-subjects. The next question is, whether the borrowing of so large a sum of money ought to be accompanied with increased taxation, not only for the purpose of paying the interest, but also to discharge the new portion of debt in the course of no distant period. I confess that I was exceedingly unwilling, even to such an extent, as 4,000,000*l.* or 5,000,000*l.* to increase the amount of the public debt, without making an immediate provision for its extinction before long; but many reasons induced me to pause before I determined on adopting such a course. In the first place, I think, for various reasons, that the present year is a most unfortunate time in which to attempt any alteration in the taxation of the country, for every one knows that such a proceeding is calculated to produce for a time a stagnation of trade. Moreover, no inconsiderable weight is to be attached to the consideration I have already mentioned—viz., in respect to the uncertainty as to the amount I might have ultimately to provide for; because if, as I hope, the harvest turns out fruitful, there will be, from one source or another, employment and the means of existence provided for the suffering people of Ireland, to a greater extent than unfortunately is the case at present. On the other hand, if the produce of the harvest should be small, if there should be no crop of potatoes, and prices should remain high, then it might be necessary for the country again to come forward to assist the starving population, and it might be necessary to make a further demand on the public resources. The state of things, whatever it may be, will be known before Parliament meets again; and I therefore think it better to postpone dealing with a question of this kind until we have had an opportunity of seeing the result. In addition to these reasons, in the course of the next Session it will inevitably be necessary to deal with the question of the income tax. If taxation were increased in the present year, that tax at any rate is one of the sources to which any one would naturally look; and therefore it would be exceedingly unwise, by dealing with the matter at all this year, to prejudice the course which Parliament—a new Parliament perhaps—may think it expedient to take on this question. For all these reasons, I have thought that, on the whole, it will be the more wise and prudent course not to attempt to increase taxation in the present year; but, leaving the whole question open for the next year, to provide, in this year, for the interest of the loan which I intend to raise, out of the ordinary revenue of the country. I stated the ordinary revenue of the country for 1847-48 at 52,065,000*l.*, and the ordinary expenditure at 51,576,000*l.*, leaving a surplus of 489,000*l.* Now, assuming that I borrow 8,000,000*l.*, what will the annual interest amount to? Of course it will be obvious to every one, that at 3 per cent it would be 240,000*l.*; at 3½ per cent, 280,000*l.* and at 4 per cent, 320,000*l.* I entertain no doubt of being able to borrow the required sum at or under 3½ per cent, and the interest will, therefore, on that supposition, amount to 280,000*l.* But I am afraid that this will not be the only new demand made on us for interest; for there is another description of debt with respect to which, after the best inquiry I can make, I am compelled to say that I feel myself under the necessity of raising the interest — I mean Exchequer-bills. It is notorious that many causes have depreciated the value of that description of security in the market. If the rate of interest on money has been raised—and I do not think it improbable that it may be further raised in the course of the spring—I do not regard it as right, though unwilling to waste unnecessarily a single sixpence in the payment of interest, that Government securities, such as I am now adverting to, should be left so far below all those other securities with which they have to come into competition in the money market. Under these circumstances, I have, though unwillingly, determined on raising the interest on Exchequer-bills. The interest on them is now 1½*d.* a day.

An experiment was once tried to raise the interest by one farthing a day; but that so completely failed, that it is not worth while to renew it. I therefore propose to raise the interest on Exchequer-bills by one halfpenny a day; or, in other words, to make the interest, which is now 1½*d.* a day, 2*d.* a day. The annual increased cost of this transaction will be 142,000*l.*; and this sum, added to 280,000*l.*, being the interest on the loan which I propose to raise, will make a sum of 422,000*l.*, which I shall have to pay in the year. This will, of course, raise the total ordinary expenditure of the country for 1847-48 to 51,998,000*l.*; which, being deducted from 52,065,000*l.*, already stated to be the probable ordinary revenue of the country for 1847-48, will leave a surplus of 67,000*l.* But there is in the present year, as there has been in former years, an extraordinary source of income from the balance of the China money yet unpaid. From that source, I shall as a matter of certainty, not of calculation, receive in the course of the year 450,000*l.* Against this extraordinary receipt, I must set an extraordinary source of expenditure, which does not properly belong to the present financial year, amounting to 185,000*l.*; which it is necessary to vote for the purpose of covering the excess of naval expenditure in the financial year ending on the 5th of April, 1846. Therefore, adding the extraordinary receipt to the ordinary income of the country, and the extraordinary expenditure to the ordinary expenditure, the totals will be as follow: Total income, 52,515,000*l.*; expenditure, 52,183,000*l.*; leaving a surplus of 332,000*l.* Of this expenditure, however, I think it right to state, that over about 815,000*l.* we have had no control. This sum arises out of deferred votes or charges, of one kind or other, which, as has been formerly stated to the House, it is necessary to provide for in this year. There is a charge of 175,000*l.* upon the Consolidated Fund, and other charges which I referred to at the close of the last Session, amounting altogether to 698,000*l.* It is necessary to provide about 2,000*l.* for the Perth prison; and these sums with that of 185,000*l.* for the excess of last year's expenditure, make altogether a sum of 815,000*l.* I am perfectly aware that this cannot be to the Committee a very satisfactory statement of revenue and expenditure; and it would be exceedingly wrong to suffer the income and expenditure long to remain in the same relative state. I have told the House why I think it unadvisable, in the present Session, for Parliament to make any permanent provision on this subject, partly from the uncertainty of the amount for which we may have to provide, and partly from the necessity of dealing next year with one large source of income, I mean the income tax. The prosperity, agricultural, commercial, and manufacturing, of this country, has of late been so steadily advancing, that it is indeed possible that the present taxation may, in the next and subsequent years, provide the income required for the public service; but if this should not be the case, then I say most distinctly that the country must be prepared, next year, for an increase of its burdens. We could not think of allowing such a state of income compared with expenditure as now exists, to be permanent in this country, or to continue for more than a year, and that only under extraordinary circumstances; and if the necessity should arise when next year comes, I shall not shrink from the duty of proposing to the House those measures which I may think most expedient for bringing the revenue of the country into more proper proportion to its expenditure than it now holds. I think, from the statement I have made, it must be evident to every Member of the Committee, that I cannot spare any revenue this year; and that statement must be an answer to hon. Gentlemen on either side of the House, who have on various occasions pressed me to reduce the duty on tea, tobacco, paper, copper, or any articles which produce a considerable amount of duty. It is impossible this year to spare anything from the revenue, which could affect any material article of import; and on the subject, therefore, of the duty on these various articles, I think it better to say nothing which might excite either hopes or fears for a future year. I may also take this opportunity of answering a question put to me early in the Session, as to whether it was my intention to propose an annual duty in lieu of the sugar duties. I do not think so much importance need be attached to this question as was formerly the case; because there are now two votes which must be submitted to this House in the course of the Session — one of which I am about to propose to-night—without which it is impossible the ordinary expenditure can be defrayed. But hon. Gentlemen will remember that we have now a duty which must be renewed next year—the income tax; we have, therefore, for this year, the full advantage of an annual duty; and it is not my intention, in the present Session, to propose to substitute any annual duty in lieu of the sugar duties. Before I sit down, I am anxious to say that, apart from the calamity which we must all deplore, no one can regret more sincerely than I do the interruption of that course of financial and commercial policy which has, for a considerable time, been pursued by successive Administrations, and which, during the last four years, has been carried out with greater vigour. It is true that I opposed the imposition of the income tax, in order to provide for a deficiency of 2,500,000*l.* But the character of that measure was changed when it was made the means of enabling the House to adopt those beneficial changes in our commercial system which have been carried by the right hon. Gentleman opposite. I do not mean to say that I approve, or that I did approve, of all the details of the measures introduced by the right hon. Gentleman; but no person could more fully concur than I did in the general scope and policy of those measures, the object of which was to free trade from all unnecessary restrictions, to foster the industry of our people, and to provide most material additions to their comforts. Just before I came into this House, a paper was put into my hands, which, I am sure, it will be most satisfactory to this Committee to hear read, and which I hope may tend to dispel a portion of that gloom which my statement may perhaps have cast over the minds of some hon. Gentlemen. The statement relates to the quantities of a certain number of articles which were entered for consumption during the last four years. I have taken those articles which enter most largely into the consumption of the great body of the community; and I think the Committee cannot but conclude, from the statement I am about to read, that the comfort and happiness of the people generally must have been materially promoted by the measures to which I before referred. I will first mention the article of coffee, of which it appears there were entered for home consumption in the year 1843, 30,031,422 lb.; in 1844, 31,391,297 lb.; in 1845, 34,318,095lb.; and in 1846, 36,781,391 lbs. The next article is butter. The quantity entered in 1843 was 148,295 cwt.; in 1844, 180,965 cwt.; in 1845, 240,118 cwt.; and in 1846, 255,130 cwt. I next come to cheese. Of that article, in 1843, there were entered for home consumption 166,563 cwt.; in 1844, 212,206 cwt.; in 1845, 258,246 cwt.; and in 1846, 327,490 cwt. I may observe that I have not yet heard of any complaints from the Cheshire farmers on this subject. I find that the quantity of currants entered in 1843 was 254,727 cwt.; in 1844, 285,116 cwt.; in 1845, 309,799 cwt.; and in 1846, 359,315 cwt. The quantity of sugar entered in 1843 was 4,037,921 cwt.; in 1844, 4,139,983 cwt.; in 1845, 4180,606 cwt.; and in 1846, 5,231,848 cwt. Now, upon all the articles I have mentioned, the duty has been reduced; and I have reserved till the last the great article of tea, for the reduction of the duty upon which so much interest has been evinced. It is, however, only fair to state, that, though the duty upon tea has not been diminished from various circumstances, well known to the commercial world, the price of tea has been considerably reduced. There were entered for home consumption in 1843, 40,304,407 lb. of tea; in 1844, 41,369,351 lb.; in 1845, 44,183,135 lb.; and in 1846, 46,728,208 lb. All these articles are largely consumed by the great body of the people; and it must certainly be satisfactory to the Committee and to the country, to find to what an enormous extent the consumption of such articles has increased. This consumption could not be confined to the higher and more wealthy classes; but it is perfectly evident from its extent that it has been spread over the great body of the people. Having always supported the course of policy to which I have alluded, it affords me great gratification to read to the Committee a statement which must be most satisfactory to them, and to no one more so than to the right hon. Baronet opposite, who has taken so active a part in removing commercial restrictions. I am perfectly convinced that this policy is the only course which will tend to advance the prosperity of the country, and to promote the comfort and well-being of the great body of the people; and with their prosperity I am firmly convinced that the well-being and comfort of all classes is inseparably connected. I have now concluded the statement which it was my duty to make to the House. I hope I have rendered it clear and intelligible. If I have not done so, I must request that any hon. Gentleman who wishes to put any questions to me will be good enough to propose them at once, as I am afraid I shall not be able to remain in the House long. The vote I am now about to move has, in point of fact, nothing to do with the statement I have just made. It is a mere vote, of course. The right hon. Baronet concluded by moving that a sum of 8,000,000*l*. be granted out of the Consolidated Fund towards the supply for Her Majesty.

Mr. HUME said, that he wished to make a few observations on the statement of the right hon. Gentleman the Chancellor of the Exchequer. It appeared to him that the mind of any one who would consider the details of that statement, would necessarily be filled with melancholy forebodings. For his part, he feared that after that expenditure of 10,000,000*l*., we should find ourselves in a worse position than that in which we had been placed before. He was sorry to perceive that Her Majesty's Government were taking no steps to improve permanently the condition of the people of Ireland. In his opinion they ought above all things to adopt some means of removing the existing impediments to the transfer of property from unimproving to improving hands, for that was a measure which every one acquainted with the state of Ireland looked upon as most desirable, and as likely to produce the most beneficial effects. He was not prepared, whenever the right hon. Gentleman should think fit, to vote any more of those ten millions for Ireland, until they had some security that those measures which were remedial, and would mitigate, if not remove, the evil complained of, would pass. Did the right hon. Gentleman believe it to be possible that they could go on advancing ten millions to Ireland alone, while the poor in England and in Scotland were, though not to the same extent perhaps, yet still to a great extent—in want? The advantages arising from the liberal commercial policy of a former Government, had been adverted to by the right hon. Gentleman; but yet the right hon. Gentleman did not say one word about his being prepared to carry out further reforms that would further increase the commerce of the country. The House would recollect how often they had been told that the reduction of the duty on foreign sugar would have an injurious effect; but the information which the right hon. Gentleman had now given to the House, afforded undoubted proof that all those who had those fears were in error, and those who were in favour of the reduction were right. He, therefore, asked the right hon. Gentleman and Her Majesty's Ministers, why they should now stand still, and allow the present restrictions to remain? They should remove from the Statute-book all remaining restrictions, and allow the commerce of the country to rise by the elasticity thus created. It would not decrease, but would add to the means and facilities by which they must be prepared to meet this immense demand upon them. The right hon. Gentleman had alluded to the duty upon tea, tobacco, copper, and other articles. Now, it was a question how far the reduction of the duty on tea would cause a loss. He had no hesitation in saying that the loss would be trifling, compared with the advantages derived from continuing their exports to China. It was not the loss of the duty on tea they were to consider, but they were to recollect that out of 600 millions of yards of common calico that were sent from this country, 180 millions went to China alone. By reducing the duty on tea, they would increase the quantity of goods exported; they would also increase the revenue, and find greater employment to those who manufactured those articles. It appeared to him that the Government were taking a one-sided and limited view of the subject, instead of embracing those broad principles which were stated by the right hon. Gentleman before he sat down to have been attended with such admirable results. With respect to copper ore, on which there was a duty of 40,000*l*. or 50,000*l*., it was a question whether they did not lose three times the amount of that paltry sum by the imposition of that duty. They lost the markets of the whole world, and persons abstained from coming to them to give them the means of smelting that ore. That was not carrying out those great and liberal principles of policy to which the right hon. Gentleman had referred. There were 150 or 200 articles which ought in the same manner to be swept out of the Tariff, and full scope should be given to commerce, which had been proved by the measures of the right hon. Baronet (Sir Robert Peel) to be so beneficial. He must on those grounds express his deep regret to see the whole of their policy limited to Ireland. The Government should take the expenditure on Ireland as an extraordinary charge. Let them take the surplus of the ordinary revenue, and let it be applied to bear any risk in connexion with the changes that take place, and let the extraordinary expenditure for Ireland be met by extraordinary means. Great as the resources of the country were, it should be remembered that Parliament was now about giving a degree of protection to persons employed in factories which would cramp the exertions in those factories, and thus put an end to labour by means which appeared to him to be perfectly insane. In the few months that had passed, there had been a decrease of men on full, and an increase of men on half, time. There was the large decrease in two months of from 1,000 to 2,500 absolutely idle; and what would support them? Would their voting the public money away, or refusing to carry out those commercial reforms that had proved so beneficial, tend to remedy the evil? No, they could not for a moment believe it; and the true wisdom would be to carry out those measures, and to meet an extraordinary emergency by an extraordinary effort. The surplus of last year, he believed, was estimated at 776,000*l.*; but here was 2,800,000*l.* surplus of the ordinary revenue by the increase of their commerce; and did not that afford a strong proof of the advantages derived from removing the shackles on trade, and call on them also to remove the remaining shackles? There was another most melancholy circumstance, and it was this: at the time when those extraordinary expenses were increasing, every one of their estimates was increased. In the present state of things, they ought to see whether those estimates could not have been brought within a more limited compass. It had been said that Ireland should be exempted from taxes. Now, he felt very strongly that the income tax should be extended to that country, as well as all other taxes paid in England, and not paid there. Let Ireland have fair play. It could not be said that Ireland had fair play, if there was not equality of taxation, as well as equality of privileges. Let the same laws be extended to both countries. He regretted that no attempt had been made to equalise the burdens of the two countries. If, as had been observed by the right hon. Baronet, there should be a recurrence of the calamity in Ireland, could the people of this country be again called upon to make such a sacrifice, considering the distressed state in which they were? Until he heard from Her Majesty's Government some assurance to the contrary, he should not be satisfied that there would not be a repetition of a similar proposition to the present. He thought that such a proposition was not only unjust to the people of this country, but also to the people of Ireland. He could not but express his regret at the course taken by the Government; and he was sure that they would hear loud complaints of their proceedings from all parts of the country. He was satisfied that nothing could be of greater importance than a strict revision of the finances of the country, and that some general principles should be laid down as to their future proceedings, and not adopt, hastily, injudicious measures like the present. They should take such steps as would revive the commerce of the country. The country would not be pleased to find the income tax raised to 10 per cent; but the right hon. Gentleman would be obliged to do so if the present state of things went on. He therefore urged the noble Lord at the head of the Government to adopt a better mode of meeting the evil, instead of resorting to such a proposition as the present.

Mr. W. WILLIAMS considered the statement of the right hon. Gentleman to have been the most unsatisfactory that any Chancellor of the Exchequer had had to make since the end of the last war. Within the last few years, there had been a large addition to every part of the public expenditure. There had been a large increase in the charge for the Army, Navy, and Ordnance, as well as in all the public departments, including the collection of the revenue. There ought to be some provision made for the repayment of this money within a few years; and if there was a proper management of the public finances, this would be the case. The public expenditure of 1832 was 5,800,000*l.* less than it was in the present year. In 1833, the first year of the Reform Parliament, the expenditure was 7,428,000 less than in the present year. In 1835, when the estimates were prepared by the right hon. Member for Tamworth, during the short period that he was in office, and which were afterwards adopted by the Whig Government, the expenditure was 7,773,000*l.* less than at present. He conceived that the House had a claim on Her Majesty's Ministers to show why the public expenditure was so much greater now than in previous years. In 1830, when the Duke of Wellington was Minister, the charge for the Army, Navy, and Ordnance, was three millions less than in the present year. In the same year, the amount of the salaries paid to the public officers was 1,800,000*l.* less than at present. He would take another remarkable period, namely, 1840, when this country was engaged in the war with China, and also in a dispute with France, and when it was deemed proper to keep up a large fleet in the Mediterranean, and when the whole of the charge of the rebellion in Canada had not been paid, the expenditure for the Army, Navy, and Ordnance was 4,093,000*l.* less than that now proposed for the same services. The right hon. Gentleman had given no satisfactory explanation why there had been such a large increase under these heads. As for the loan, he agreed with the right hon. Member for the University of Cambridge, that there should not be any increase in the national debt in time of peace. When there was formerly a deficiency in the revenue, as compared with the expenditure, the right hon. Baronet the Member for Tamworth, then at the head of the Government, came down to that House and proposed the imposition of that obnoxious tax the income tax, and he had acted wisely in doing so, instead of going on year after year, adding to the debt. Between the years 1834 and 1841, not less than 42,500,000*l.* had been added to the debt, and it was now proposed to add eight millions more to it. If they had not been enabled to make reductions in the interest of the debt, they would now be paying a million more a year for that purpose than they did in 1817. He objected also to the mode in which the right hon. Gentleman proposed to proceed. The right hon. Gentleman should begin by borrowing 100*l.* in money, for 100*l.* in stock, as he might then hereafter be enabled to deal with the interest on it. The right hon. Gentleman by borrowing in the mode which he proposed, would add 8,800,000*l.* to the debt. In the 42,000,000*l.* which was added to the debt between 1834 and 1841, with the exception of the West Indian loan, which was raised nearly at par, there had been a less of not less than 3,200,000*l.*, in consequence of the mode of borrowing adopted. When they had a surplus, the Commissioners went into the market to buy stock, and it had often happened that they had paid double the price for stock that it had originally been borrowed at. When the country was in such a state of distress as it was at present, and, above all, when there was such an awful state of things prevailing in Ireland, and the west of Scotland, the Government were called upon, by every sense of duty, to make every practicable reduction in the public expenditure. This year exhibited the greatest expenditure since the peace, and this without any alleged case. Was there danger of war? If so, let the fact be declared to the House, who would know how to provide for the emergency. Appearances, however, warranted the opposite conclusion; and although slight causes of irritation might have arisen, there had not been a time since the peace when the people of France were more disposed towards peaceful relations with this country than now. The truth was, that France was deeply sensible that on the continued existence of peace with England, depended the maintenance of liberty throughout the world. He was truly astonished that the aristocrary should not have viewed with apprehension this great increase of the public debt. When future generations should look into the mode in which the debt had been contracted, they would, no doubt, admire the generosity of England in coming forward to relieve the distresses of Ireland, when they saw 8,000,000*l.* raised for this purpose by imposts on the industry of her own people, and reflected that out of the 42,000,000*l.* to which he had already alluded, 1,800,000*l.* was added to the debt for the purpose of paying the arrears of Irish tithes. Who could say when this debt would be paid? and when the day of reckoning should come, of what avail would be titles and estates? He, therefore, warned the aristocrary to beware how they drew on posterity. He also thought that the unlimited issue of Exchequer-bills should be no longer permitted, but that the issue should take place under the sanction of Parliament.

Mr. ROEBUCK begged to make a few observations, not intending long to occupy the time of the House; but he could not allow the opportunity to pass without recording his protest against the proposition of, and the plan at present contemplated by, the right hon. the Chancellor of the Exchequer. And before proceeding further, he should at once say that the Chancellor of the Exchequer could not have been more complete, could not have been more frank than he had been; and no statement could have been more freely or more clearly made than his. He felt, in common with the House, most deeply for the painful circumstances under which the right hon. Gentleman had made that statement; and he regretted to perceive that the right hon. Gentleman had been obliged to leave the House immediately after the right hon. Gentleman had concluded. He was not going to offer any comments in a spirit of hostility to the Government, or to any portion of the right hon. Gentleman's statement; but he thought it necessary in the highest degree to consider the bearing of that subject, which was so ominous and portentous as regarded the future, and to state at once his objections to the statement of the right hon. Gentleman. First and foremost, he would say, and he said it in a spirit of perfect frankness and fairness, that there was a certain degree of suspicion cast over his mind in consequence of the altered course of proceeding by the Government in the present case. The Government had already passed a Bill which created a machinery giving them full power over all moneys voted, or to be thereafter voted, by Parliament for Ireland. That Bill had passed the House of Commons, and he believed it had also passed the other House of Parliament. In addition, that House had also passed a Bill, improperly called an Indemnity Bill, but which was in reality a Bill to make valid every presentment made in Ireland. Its provisions extended over all Ireland, or, with the exception of a small portion. When all that had been done, the Chancellor of the Exchequer came down to the House, and told them he was about to ask of them to make a loan of 10,000,000*l*. [An Hon. MEMBER: Eight millions.] Well, the right hon. Gentleman was asking for a present loan of 8,000,000*l*., which would in reality be found to add 10,000,000*l*. to the national debt. He deeply regretted the absence of the right hon. Gentleman; but in his absence he would ask the noble Lord (Lord J. Russell) what was the intention of the Government with regard to a certain class of taxation for Ireland? The noble Lord had put off that Bill, which was in reality the most important one before the House, for a fortnight, with the remarkable statement—and he wondered at the sanguine temperament of the noble Lord which bore him up so buoyantly on every occasion—that "he hoped and believed he would receive no opposition on the principle of that Bill." Now, the principle of the Bill was, that the property of Ireland should be taxed for the support of the poor of Ireland; and he rather suspected that the statement of the hon. Gentleman opposite was correct, namely, that seventy of the largest landed proprietors in Ireland had signed a statement, which was in fact, a protest against that Bill of the noble Lord. And he held, besides, in his hand a memorial from a deputation of Roman Catholic clergymen from a district in Ireland, disavowing those who called themselves "the Irish party." The object of those Gentlemen who took to themselves the title of "the Irish party," was to represent themselves to the House as the representatives of the feelings and sentiments of the Irish people. He would not use any harsh terms, although the word "mendacity" had been before that time used to characterize statements made in that House. Those Gentlemen (the Irish party) had banded themselves together to oppose the proposition of the noble Lord with regard to Ireland; and that it was which cast a shade of suspicion over the transaction—not over the conduct of the noble Lord, but over that of those parties, both in that House and out of it, who offered no opposition or objection to the passing of measures for getting money from England for Ireland; but who were at the bottom of a powerful opposition to the establishment of an effectual poor law for Ireland. But he hoped that the Gentlemen of England would join him to oppose the giving of eight millions of money, until they should have first insured the passing of the Irish poor law. The Chancellor of the Exchequer (he was sorry to be obliged to speak of him in his absence) had exceeded the ordinary duty of a Chancellor of the Exchequer. His rule was, "sufficient for the year is the evil thereof." He glided over the difficulty. No Chancellor of the Exchequer could have carried through the proposal made that evening, if he did that which he was bound to do, namely, make the taxes of the year meet the expenditure of the year. Why, he would ask the noble Lord, should not taxation have been made upon the whole property of Ireland? Why, he wanted to know, were Irish gentlemen allowed to come to England, bringing with them what number of horses and carriages, and what servants, they pleased, or could afford? Why were they allowed to go to what expenditure they pleased, and yet remain exempted from those taxes which all Englishmen, even down to poor artisans, were obliged to pay? Where was the justice of such a state of things? and why should those gentlemen be thus exempted, whilst his poor countrymen were suffering in misery? Another question, too, he had to ask. Why was it that he himself, labouring as he was here in England, in common with all his professional brethren, howsoever hard he might labour, was obliged, whatever might be the income which by his labour he might earn, to pay out of it a portion for his income tax, from which those Irish gentlemen were exempted? Why, he wanted to know, did not the Chancellor of the Exchequer come down to the House, and, having stated the difficulties with which he had to contend, say that there was a part which he could meet with justice to all parties, by a taxation which no Irish gentleman could refuse to submit to, and no English gentleman could offer the slightest objection to—that he was about to propose a property tax and an income tax for Ireland? Now, he was not going to propose at once an income tax for Ireland, but with the sanction of the House he would bring the question forward at a suitable time; and however painful it might be to the Chancellor of the Exchequer to meet the representatives of Ireland after having imposed an income tax upon that country, he trusted he would not meet the right hon. Gentleman's opposition, and he hoped that the English Members would recollect that they had constituencies to meet, when he should propose that vote to the House. He should propose the simple and honest plan of making property, whether in England or in Ireland, subject to the same burdens, and of making every man, whether he were an Irishman or an Englishman, contribute alike to the imperial necessities. Since the question of Irish distress had come before the House from the commencement of these debates, they had been constantly told that the calamity was an imperial one, and that it should be treated as an imperial calamity, which had fallen upon one portion of the empire; that Ireland, being an integral portion of the empire, had a right to be relieved from the imperial resources. Granted that it was so. Then the relief must be collected from the resources of the empire, and it must be collected from Irish as well as from English resources. But it had been said, and said too with a degree of exultation, "Lay an income tax on Ireland if you like, but it will never be paid." He was prepared to reply—The landed property of Ireland was rated at, in round numbers, 13,500,000*l.* per annum. Why not take that sum as the basis for an income tax? There was the annual territorial value of Ireland, and they could set upon it, at all events, a property tax to that extent. It could not be said that they would not pay it. He knew that Irish gentlemen had told them that the poor rates were generally perfectly well paid in Ireland; but if the property tax were not paid, he should say at once, "Seize the land, and sell it." No one need tell him that it would not sell. They all knew that land in Ireland sold better than it did in England; that it sold not only more freely, but fetched more years' purchase; and that being the case, who should tell him that he could not levy from the Irish proprietary that property tax which in justice was due? It appeared to him that they were not going to get out of their difficulties at the present time, and there was one matter to which he wished particularly to direct the attention of the noble Lord. The Government had calculated that 600,000 persons were daily maintained by the public purse. Now the great difficulty would be the disbanding of that great multitude. The Government had drawn them from their legitimate source of employment, the soil, and the great difficulty would be to induce them to return to it. If they would impose the taxes he suggested upon the owners of Irish property, they would give those proprietors a direct interest in employing the population upon the land. To lower the poor rate they would be obliged to make all their land remunerative, and thus a large body of persons would be enlisted with the Government in endeavouring to get back the labourers to the land. He knew that the Government had a most difficult problem to solve; the most difficult that any body of men ever had presented to them. He did not blame them for the condition in which they were placed, although in many instances they had not acted with that foresight or that caution which he could have wished for. He admitted that the loss of the potato crop had produced extraordinary distress; but they should not therefore infer that they had to provide for eight millions. [A Noble Lord: Sixteen millions.] The noble Lord was from Ireland. But he was speaking of people, not pounds sterling. And they had not sixteen millions, nor eight millions to feed. The whole Irish population was not starving. Did they not know that from Ireland 6,000,000*l.* worth of food had been during the past year imported into England, and that the worth of that food had been returned, and was now there? They had not, therefore, eight millions of people to feed, although they had a very large number. But they had a difficulty to contend with, for which history offered no parallel. They had not only a people for a large portion of whom the food had failed; but they had a people, the large proportion of whom were accustomed to the lowest description of food, and they had not merely to supply them, but to supply them with a higher description, and one more difficult to be obtained. That was their difficulty. History afforded them many instances of difficulties in the loss of food of large masses of population. Every one acquainted with the history of their East Indian possessions, must be aware of similar difficulties arising there. The East India Company, of whom he would speak with high approbation, as a Government which had great power, and at least good intentions; which had great intelligence; and which had, moreover, that which no Government in Ireland had—a docile population—had found that whenever an attempt had been made by the Government to interfere with the difficulties of great masses of the community, every interference had only tended to increase the mischief, and cause ten thousand times more harm. So home had that come to the East India Company, that they had formed the wise resolution not to interfere with those difficulties to which the people were unhappily subject. They had done away with the obstructions to the obtaining of food by the population, but they had done nothing towards directly enabling them to obtain it. Similar consequences had followed, he contended, in Ireland. He held in his hand a statement made by the Roman Catholic clergymen of Mallow and Fermoy, from which, with the leave of the Committee, he would read a few lines. It stated, that the distress of the people, not of that county only, but of the towns and suburbs, was very great, which in their case he asserted could not be attributed to the loss of the potato crop, or as resulting from the same causes which had led to the distress of the agricultural population; for these persons had no gardens, no potato crops, and the Committee was at length obliged to acknowledge the astounding fact, that a corresponding degree of distress existed every year throughout the country. If a similar inquiry had been instituted last year, or should be instituted next, they would find the same accounts returned of a vast portion of the population subsisting upon one meal or half a meal a day. It was, in fact, the ordinary condition of the Irish people; and what was the moral he would draw from the statement he was making? He was not making it to cast any imputation upon any class of gentlemen, and therefore he hoped he would not be met by that angry vituperation with which he was generally assailed. He observed an hon. Gentleman opposite smiling. The hon. Gentleman might smile; but he did not consider it a subject for smiling or laughter. They were dealing with the resources of a great people, for, he hoped, great purposes. And what, then, was the moral he would draw? It was, that Englishmen being suddenly called upon to inspect the condition of the Irish people, unaccustomed as they were to see such a state of things, drew a comparison at once between it and the condition of the English people. The Government came at once to the conclusion that the position was an unexampled and unheard-of one, and they rushed forward to relieve the distress, and they had thereby added to it. They had dried up the resources of private charity in that country, and they had stopped the flow of capital in its proper channels. They had drawn off the people from the cultivation of the land, and had exacerbated all the bitter feelings that existed. They should recollect that they had in Ireland a people not accustomed to habits of forethought, but willing to trust for help to anybody rather than to themselves or their own exertions. And they had now the whole population of that country thrown upon the Government in consequence of their good intentions. They had thrown those people together. They congregated in various places 600,000 of them; so that, as they had been informed by the Chancellor of the Exchequer, they had three millions of people depending upon them, and requiring an expenditure of about 1,000,000*l*. a month, which would be required until the month of August next, because, as they were told, they had more distress in summer than in winter. But how were they to form the estimate that the outlay was to be until August? There was no potato crop now. Between the end of the hay harvest and the corn harvest, there would be no potatoes; and even if they were to be now planted, they would not be ripe in August. But as aid to the people they were promised seed, for the purchase of which 50,000*l*. had been voted. Why, if, instead of 50,000*l*. they had voted 1,000,000*l*. it would not have answered the purpose.

To use a newfangled phrase, they had demoralized the Irish people. They had constituted themselves corn chandlers, and taught the people to look to them for support. They had done for the people just what the farmer would do on his farm; and they fancied that they could govern a kingdom in this manner. Again and again he would beg of the noble Lord to be convinced, that he did not attribute to the noble Lord and his Colleagues the whole of this mischief. He did not forget what had been done by the right hon. Baronet opposite, with the same benevolent feelings —feelings for which he gave the right hon. Gentleman praise at the time, and for which he was still willing to give him praises. In consequence of the failure of the potato crop last year, there had been a rush of misery upon them. The whole Irish people seemed convinced with the notion, that they had but to say that they were starving, in order to get relief from England; and the consequence was, that the entire burden of their support had been thrown upon the Government. He would appeal to hon. Gentlemen who had made themselves acquainted with the subject, whether it was not the fact, that the people would not subscribe in Ireland to relieve the distress, as they expected that Government would do all? He had letters to that effect sent to him from every part of Ireland; and he would appeal to the experience of hon. Gentlemen, whether the conclusion come to was, that Government ought not to have depended partly on private charity, but ought to have done everything themselves? He considered that, instead of Government having done too little, it was a proof they had interfered far too much. He begged to thank the Committee for the attention with which they had listened to him. He warned the Government before it was too late—before the whole of the mischief was done—to beware how they proceeded. They should recollect, if Ireland was to be sown with any portion of the Lenten crop, the dreadful evil which must attend weakening the people, and drawing them from the cultivation of the soil. He considered that there never were a people more sure of disappointment, than the Government in their loan of eight millions. They were certain, before the end of the year, of finding their Exchequer empty; Parliament not sitting; themselves without the possibility of assisting the people; and yet surrounded by the same cry of "give," which they were now met with. They would find the people still worse than at present; and that all their benevolence would have ended in making the large mass of existing misery still worse than before. Therefore, he would say to them, "Beware in time; stay your step while you are able, and be just to the people of England, by imposing upon those in Ireland who are able to pay their quota of the expense necessary to meet the evil; and thus guard against dragging the English people hereafter down to that miserable condition in which we now see our Irish fellow-subjects."

Lord JOHN RUSSELL: I rise to address the Committee, Sir, not for the purpose of adding anything further to my right hon. Friend's statement with respect to the financial estimates of the year, in which, as has been admitted, he stated the views of the Government so clearly to the Committee, that I do not think any further explanation of them necessary; but because I wish to enter at once into discussion with the hon. Gentleman who has just sat down. For, admitting, as he did admit to the Government, that he is conscientiously persuaded that his views are for the benefit of the country, I think he completely deceived himself; and that he would, if listened to by the House, so completely deceive Parliament, that I believe there would be the greatest danger if the Parliament consulted him on the matter. The hon. and learned Gentleman says, in the first place, with regard to taxation, that it is a question on which he wishes to introduce, on some future day, a Motion to the effect that the income tax ought immediately to be extended to Ireland. But the hon. Gentleman admits that this is an imperial calamity, to be met by imperial means; for as Ireland is a part of the United Kingdom, the evil ought not to fall upon that country alone. But though it is an imperial calamity, we must recollect that it has pressed most severely upon Ireland; and that those proprietors who have taken care of their neighbours, and of the destitute poor belonging to their own estates, have of course been obliged to make very considerable sacrifices—that they have received, perhaps, only a small portion of their rents—and that they have expended fully as much as the whole of their usual income. I should say, therefore, that while such is the condition of Ireland, even admitting, which I am most ready to do, that while it was wise in the right hon. Gentleman, in the first instance, not to have imposed an income tax on Ireland, yet if we were to look to that income tax continuing for many years, it should be justly extended to Ireland. Making that admission, I do say, that I cannot think it would be wise, or just, or considerate, to impose that tax upon Ireland at the present moment. I cannot, therefore, agree in the proposition of the hon. and learned Gentleman. But he then went on with an argument to show, in the first place, that this was, after all, nothing but the ordinary state of Ireland. Why, Sir, he had a paper which he read in support of this part of his case; and which paper I read when it was brought to me somewhere about the month of October last. It proceeded from a committee formed in Mallow. They stated that they were astonished to find, and I was also astonished when they told me, that artisans, and labourers, and small shopkeepers in that town lived on a miserable pittance of food in ordinary times; and for the greater part of the year subsisted on one meal a day. That state of distress which they thought extreme, was the usual state of the town; but, Sir, though such may be the condition of Mallow in ordinary years, it would, I think, be very rash to say that the present state of Ireland, is at all similar to the ordinary condition of the country generally. Why, let us suppose, and I do not think it will give us any unfair notion of the calamity, that three-fourths of the wheat crop was lost in the country, and that there was also a great insufficiency of oats, would that, I ask, be not an extraordinary state for this country to be in? Last year there was, in point of quantity, an abundant supply of potatoes. This year they failed within three months after the gathering, and this produced a most extraordinary calamity in Ireland; for the very reason that so large a portion of the people are always almost on the borders of famine in ordinary years. It is that state of the people in ordinary times that has made the calamity so great. But it is no reason for saying that this is nothing more than an ordinary calamity. It is, on the contrary, the cause of its having become a most extraordinary calamity which has fallen upon the people of Ireland. Let us look to the condition of the people of this country when any want of employment, or the dearness of provisions, or other cause, produces great distress. At ordinary times the poorer classes in England are able to purchase a little tea and sugar, and such articles; they are able to provide themselves with some little luxuries, and to send their children to school—they are able, out of their small incomes, to provide for these expenses. Then, when a year of calamity comes, they take their children from school; they reduce the quality of their food to whatever is absolutely necessary for their subsistence, cutting off every other source of expenditure. When all this fails, they come to the parochial board; they are obliged to go before the board of guardians to state the distress of their families. The man goes on the roads breaking stones as a test of his destitution, and he there receives a certain allowance from the board for his subsistence, and that of his family. Now, although that is a very melancholy state of things, and one which we call a state of great distress in this country, yet it is a state of distress which can be borne, and which is borne; and it is a remarkable circumstance that in Mr. Thornton's work on over-population, one of the maxims which he lays down is, that in a year of very great scarcity he was, after all, unable to hear of one person who had been starved to death in this country. Why, Sir, is not that a very different state from Ireland? Must we not admit that a most extraordinary calamity has fallen upon Ireland, when we hear of the dreadful numbers who unfortunately die every day from absolute starvation? Is it not clear that unless there were some means adopted to preserve those persons, that the deaths, instead of stopping at the great numbers in which they now occur, would be multiplied ten or a hundred times? Well, what have we done to meet this evil? We have taken something like the analogy to be drawn from the case of England under the circumstances, and finding that the immediate resources of Ireland were not able to meet the exigency of a single year, we looked to the mode in which destitution was relieved in England. We gave the people money for the purchase of food; but we required some labour in return, as a test to show that they were destitute, and that they were in need of relief. That is the course pursued in England where relief is required, and it is the course under which millions of money have been expended ever since the poor law was enacted in this country. But in Ireland, seeing that there did not exist a poor law to the same extent as here, and that there were not resources in that country to enable them at once to meet the extent of the calamity, we advanced large sums of money from the Imperial Exchequer to enable the people of Ireland, in some degree, to ward off the famine that was impending over them. There may be different ways of relieving that distress, or the ways which we have taken may not have been the wisest. Even the Bill which is now going through the other House of Parliament may doubtless have its defects, and be inadequate to meet the calamity; but I could not reconcile it with the duties of the Government for us to lie down in quiet, and that no effort at all should be made. I could not think it would be wise to abandon the people of that country altogether, and to leave them to rest on the ordinary operations of trade, in the hope that they would find assistance from those ordinary resources. I believe that, had we adopted such a course, the feelings and the opinion of this House would really have been against us; and that the economy—the unwise economy, as I believe it would be—would not be supported by the approbation of the Parliament of this country. While I say this, I give the hon. and learned Gentleman full credit for believing that the course which he recommends is that which, in his opinion, ought to be pursued, and which he thinks would lead to the best ends. Now, with regard to the state of the people of Ireland, there is no doubt but that a very formidable transition is to be passed through. There is, no doubt, some truth in the representation of the hon. and learned Gentleman, of the danger attendant on employing the people on public works, and withdrawing them from field labour; but I think the evil thus caused has been very much exaggerated, because I have taken great pains to get information on this matter. Persons have been sent through the country to make inquiries; and they state that though so many people have been employed on the public works, there were numbers besides who were asking to be so employed, without success, and who could get no employment from the farmers, or no employment on their own holdings, and who loudly complained that they were not employed on the public works. It is clear, therefore, that there was sufficient surplus labour in the country that might be employed in agriculture when necessary. I do not think, therefore, that the statement of the evil caused in this way, is true to the extent alleged. I do not think it is true, either, that the people have been demoralised by these public works. I find that although the work done has been very deficient in some instances, yet, in many others, the taskwork has been duly performed—that the men engaged upon it have performed their labour properly—and that the work has been efficiently completed by them according to the payment which they received. Now, this may be a foolish way for Parliament to lay out the money, but it does not follow that the people are in consequence to be demoralised. A gentleman may choose to lay out a great deal of money in forming an ornamental piece of water in his park, or in effecting alterations in his pleasure grounds; that may be a very foolish expenditure on his part, but the men employed on that labour are not demoralised. They perform the work as well as they would any other labour on which they might be employed; and in the same way those employed on the public works executed in Ireland may have performed the work as well as they would if Parliament had engaged them to deepen the most useful harbour, or to construct any other most useful work. The great question for us to consider, will be, whether we can carry safely through that change in Irish society which must be come to—whether those persons who are now mere cottier tenants can be turned into labourers—and whether the landlords can, together, employ so much capital on the land as will make the work of these labourers useful and necessary, and thereby raise a sufficient quantity of food from the soil to provide for the sustenance of the people in future years. I believe, myself, that if there were sufficient time to do it, the change might be safely accomplished. When the lamentable failure of the potato crop was first ascertained, everybody cried out that potato culture was an injurious culture for Ireland, and that feeling once generally come to, an alteration might in seven or eight years be carried out with advantage to the country. That such a change may be still carried out, I do hope; but at the same time I feel it cannot now be effected without very great distress being produced, both in this country and in Ireland. It is a matter, I feel, which requires very great consideration and great caution. In the meantime it will be necessary to carry through this House and the other House of Parliament, a more extended poor law for Ireland. And on this subject I maintain still what I said the other night, that I do not think on the principle of that poor law there will be any objection raised on the part of Irish Members, or on the part of Irish proprietors in general. With regard to the details—to the mode of rating, to the extent of the districts to which the rating is to be applied, and such points —there may, no doubt, be much difference of opinion; but on the principle of the extension of the poor law in Ireland, I believe no difference will be found to exist. Sir, with regard to the immediate finances of this question, I wish only to address a few words, in reply to the hon. Member for Coventry, who complained in his speech of the very great increase of expense which we propose. Now, I will not say anything with regard to the miscellaneous estimates. They have not been yet produced; and it is impossible, therefore, to enter now into them. But with regard to the great increase which is proposed in the army, the navy, and the ordnance estimates, I must say that, however much I may agree with the hon. Member for Coventry on the necessity of economy, I do not believe we are at all exceeding that which is necessary for the defence of this country. I believe, on the contrary, that if our means were more extensive, it would be wiser for this country to give a larger expenditure for some of those branches of military and naval defences that cannot be made perfect in a few months, but that, on the contrary, require years to bring them to that state of efficiency in which the military and naval powers of the country should be found in case of any danger of war hereafter arising. But so far as compared with the estimates which the House sanctioned last year, there is no very great excess now proposed. The Committee will recollect that for the sake of producing a greater uniformity in the accounts, the estates under these heads were taken last year for only three-quarters of a year. Now, last year, the army estimates amounted to 6,635,000*l*. This year, the army estimates are 6,840,000*l*. But, then, the supplemental vote last year was 192,173*l*., leaving the real increase not more than 12,827*l*. Again, with regard to the ordnance estimates, the amount last year was 2,543,000*l*., and this year 2,679,000*l*., being an increase of 135,000*l*. odd; but, then, from this sum is to be deducted the amount of the deferred vote last year, 67,299*l*., leaving the real increase only 68,259*l*. That increase has been thought necessary, for the purpose of increasing the number of men in that important branch of the service. The hon. Gentleman must be aware that it requires some time to make men efficient in that particular branch; and it is for this reason that we have proposed to increase the number at present. With regard to the navy, the increase is 77,428*l*. for which sum we propose to make an increase in the service of 1,500 men. Therefore, though the increase is undoubtedly very large since the years to which the hon. Gentleman alluded—1834 and 1835—I do not think it at all too much for the defence of a great empire such as this at present is. I believe that, with the increase of our commerce, it is necessary to have a large and considerable increase in our army and navy; and I believe that the security which is felt in our trade and commerce, derived from a knowledge that the military and naval branches are sufficient for their protection on all occasions, is one reason why our commerce flourishes as it now does.

Lord G. BENTINCK: Sir, my right hon. Friend the Chancellor of the Exchequer, whose departure I deplore on account of its cause, whilst I greatly admire that high spirit and bravery which have induced him, in the midst of great suffering, to leave a sick bed to perform his public duties here, was, I think, not wanting in his usual discretion in forbearing to hint at the taxes which may next year have to be raised to supply the deficiency in the Exchequer. My right hon. Friend says, that this is a year in which it is not at all advisable, for many reasons, to enter much into the money question, or to discuss the expediency of raising a greater fund by means of increased taxation. And my right hon. Friend said, that a stagnation in the trade of the country was likely to be the consequence of any proposal for increasing the income tax. But I am, Sir, inclined to think that there is another cause why this is not thought a year in which it would be advisable to put forward the question of renewing the income tax; and that is the circumstance of its being usually supposed that Parliament is in the last year of its existence. It was no doubt thought most inconvenient and unadvisable for the Government to go to an election with the *préstige* that they had just renewed the income tax, which a few years ago they had so loudly condemned.

I am not surprised that the hon. Member for Coventry has expressed great disappointment at the increase in the naval and military services of the country. I am sure that all those who recollect the high-flown promises in which my noble Friend the Member for the West Riding of Yorkshire (Lord Morpeth) indulged upon a late occasion, when he issued forth from his "natural Woods and Forests," for the purpose of addressing the electors of Sheffield, and assured his auditors there, that the first result of free trade in corn would be, that their representative, Mr. Ward, the Secretary of the Admiralty, would be able to maintain the Navy of England without applying to his Friend, Mr. Parker, for increased taxes; that the first necessary consequence of free trade in corn would be —"that the musket would drop from the hand of the soldier, and the red artillery would cease its murderous flashes"—must be greatly surprised to find the practical result of free trade in corn to be an immediate increase of the military, naval, and ordnance establishments. The hon. Member for Coventry has, I think, great reason to feel disappointed at finding that free trade in corn has led to an increase of 1,200 men for the Artillery, and 1,500 for the Navy.

I will not follow the right hon. Gentleman the Chancellor of the Exchequer through his last statement in respect to the finances of the country; but when he says that his noble Friend the Member for Lynn will not be surprised that he should not have consented to raise 4,000,000*l.* sterling for the purpose of affording employment for the people of Ireland in profitable reproductive works connected with railway enterprise, I must confess I am more than ever surprised by the statement of the Minister this evening, by which it appears he prefers to spend 10,000,000*l.* sterling, of which 5,000,000*l.* is to come out of the English purse, in the employment of labour that can yield no return, to its profitable employment in the construction of Irish railways. And I was still more surprised when I heard my right hon. Friend say, that the great prosperity in the revenue of the country arose in a great degree from the circumstance of the vast extent of speculation which for the last few years had taken place in the country, and the turn it had taken in the investment by people of "their money in works at home, instead of Mississippi stock or Pennsylvanian bonds." Now I think that that is the very worst argument Government could urge why they should not be disposed to advance money for railway enterprise in Ireland.

My right hon. Friend congratulated himself greatly at the increase in the revenue derivable from various articles of consumption, all of which he ascribed to the effects of free trade and the reduction of duties. True it is that in many of those articles he quoted, there have been reductions made in the duty. There have been such in the articles of coffee and butter; but he forgot to observe when he told the Committee that the consumption of butter had increased between the years 1843 and 1845 from 148,000 cwt. to 240,000 cwt., that there was no reduction of duty effected in the mean time. It is true there has been an increase again in 1846 to 250,000 cwt., but the gradual increase in this article arose out of the improved circumstances of the country. Cheese, too, the right hon. Gentleman said, had increased between 1845 and 1846 from 258,000*l.* to 357,000*l.*; but this article had also increased from 1843 to 1845 from 166,000*l.* to 258,000*l.*, when again there had been no reduction of duty. I do not, therefore, see any great grounds for his congratulations for this increase as the results of free trade. He has been kind enough to tell you that there has been an equal increase in the article of tea, the duty upon which is 250*l.* per cent; and he said that the number of pounds consumed in 1841 was 41,000,000 lb., which had increased in 1846 to 46,000,000 lb. On tea, there has been no reduction of duty. But if my right hon. Friend had not thought it discreet to forbear quoting much further upon the increase of consumption in these articles, he might have gone on to hops, malt, British spirits, &c. He will find that there is the same increase in these articles as in the others upon which the duties have been reduced. The increased consumption in hops, between 1843 and 1845, has been from 27,000,000 lb. to 32,000,000 lb. Malt has increased from 1843 to 1846, from 35,000,000 of bushels to 41,000,000 of bushels. Now, I ask what has free trade to do with this increase? Sir, I think that the 13,000,000*l.* or 15,000,000*l.* that has been spent yearly upon railway enterprise in this country, has been the means of affording to all those engaged in their construction, and depending upon their labour for the means of living, the benefits of this immensely increased consumption. There is one increase which my right hon. Friend has spoken of, upon which I can hardly congratulate the House and the country. He has told us that there is 304,000*l.* increase to the revenue, arising chiefly out of the consumption of slave-grown sugar. Entertaining the opinions which I do on this subject, I feel that I cannot congratulate the country upon this increase upon an article produced by the encouragement of the slave trade. There was another point which my right hon. Friend congratulated himself upon in respect to an increase of revenue arising from the silk manufacture. He told you that the revenue on silk has been increased from 218,000*l.* to 297,000*l.* When I know what the present condition of the silk weavers is—when I know that the effect of the importation of this article has been to reduce the wages of the Spitalfields weavers, at a time, too, when the price of corn and bread was rising, I cannot rejoice in the increase of revenue obtained by this means. It is but three days ago that I received a letter from the unfortunate Spitalfields weavers, an extract of which I will read, and when the House hears it, I think you will not very much rejoice over an increased revenue derived from this source. They say—

> " With feelings of considerable diffidence, yet with a desire to benefit the people of the United Kingdom, we take the liberty of informing your Lordship that we follow the silk trade of Spitalfields, and have attended in deputations on your Lordship, and we thank you sincerely for the vigorous efforts your Lordship has made on behalf of the silk trade of England; but we are sorry to inform you that the prediction respecting the new system has been painfully realised; nearly one half the silk trade of Spitalfields has been thrown out of employment. Hundreds have gone to the workhouse, great numbers have died, and are dying from want. Some of the best workmen of Spitalfields are now working at the pump in Bethnal Green workhouse. Wages have been greatly reduced, from 10 to 30 per cent—(one master has taken 1*s.* out of 3*s.* from the wages of the operatives)—making a difference of about 5*s.* a week reduction; also one of the large masters of Spitalfields, employing about 500 hands, is now retiring from business, although a free trader."

These, then, are the results of free trade. That was the consequence of the increase of revenue from 1845 to 1846, which we have obtained by reducing the protective duties on silk manufactures. But it is much to the credit of these poor silk weavers, that in all their distress they do not grudge their assistance towards the relief of their poor Irish brethren. Whatever may be the feelings of some Members in this House, or the other, I do believe that the working classes of this country sympathize with the working classes of Ireland; and it is on that subject that the silk weavers have written to me, for that which I have read to the House is only the postscript of their letter. To the great honour of these poor people, they have written to me to express their sympathies with their fellow-sufferers in Ireland. They said—

> " My Lord—With feelings of considerable diffidence, yet with a desire to benefit the people of the United Kingdom, we take the liberty of addressing a few lines to your Lordship respecting the state and condition of Ireland, with the means of remedying that fallen country. We, as working men, deeply sympathize with Ireland, and we rejoice to find that measures are being adopted for the benefit of that unhappy country. We feel great pleasure from the fact that your Lordship has manifested deep sympathy for the Irish, with a determination that something shall be done for the benefit of the people. We have read the speeches of your Lordship in reference to the question, and rejoice at the spirit which pervades them; and we entertain the idea, that had your Lordship possessed the reins of Government, the people of that country would not have perished to the extent they have, because we conceive that your Lordship would have regarded not the fashionable principles of political economy, whereby the people might have been saved."

There was the honest expression of the feeling of the poor classes of Spitalfields, and he agreed with them. He had heard from his right hon. Friend the statement that in all this large expenditure, 295,000*l.* alone had been expended by the Government to feed the starving people of Ireland. He, for one, felt deep regret at the smallness of the sum which Her Majesty's Ministers, acting upon the unfortunate principles of political economy, had laid out in feeding the people. He thought it would be a scandal in the face of Europe that 25,000 Christian people had perished from starvation in Ireland; whilst in the neighbouring country, under the more paternal Government of the King of the French, whose Government had purchased near 2,000,000 quarters of corn to feed his people, in the words of Mr. Burke, in 1795, already quoted by his hon. Friend opposite, " as far as he knew, not a man, woman, or child, had died of starvation." And was it possible that the Irish people, who had perished by thousands, could abstain from comparing their condition and their treatment with the treatment which the Government of France had shown to all their people? It was not his intention to trouble the House at any greater length on this occasion; but he must say that it struck him as somewhat surprising that the Chancellor of the Exchequer should come down to the

House and state, before the loan was contracted for, that it was his intention or expectation to pay 3½ per cent interest for it. That was not the interest apportioned to the price at which the funds now stood; and he could not help supposing that when those who had their money to lend, saw that the Chancellor of the Exchequer was prepared to pay 3½ per cent upon his loan, 3½ per cent they would be determined to have, whatever lower interest they might otherwise have been prepared to take.

Mr. SHAW said, that he so much concurred in what had fallen from the noble Lord opposite (Lord John Russell), that he had but a few words to say in answer to some of the observations of the hon. and learned Gentleman (Mr. Roebuck). First, he (Mr. Shaw) would declare that, as an Irishman, if the income tax was made a permanent impost, he would not claim exemption from it. At the time it was imposed, there was no machinery by which it could have been collected in Ireland, and certainly that period of extraordinary pressure would be an ill-chosen occasion to extend it to Ireland, and the hon. and learned Gentleman's own argument failed him in that respect; for the hon. and learned Gentleman said, if it is a national calamity, let Ireland be taxed for it as such, forgetting that Ireland was first subject to the repayment of the whole, and still would be for the half of the sum advanced from the Imperial Treasury to meet the present emergency. Then, as to the 600,000 men who were employed on the public works, he agreed in many of the objections made to the Labour-rate Act, and to the injurious consequences of drawing off the labour of the country to unproductive works; still it must be recollected that was passed to provide for an unparalleled exigency; and that the first object was to prevent the people from starving; the second, if possible, to make the work in some degree remunerative: and the fact was, that from the entire failure of the potato crop, the poor cottier tenants could not till their own lands, without the means of support their stock of potatoes used to afford them; nor could the small farmer, who had usually paid his labourers in potatoes, give them money wages; and, therefore, they were necessitated to look for labour and wages elsewhere. He would take that occasion to warn the noble Lord and the Government against too rapidly stopping that employment, for he could speak from practical experience of the working of relief committees, and say, that there would be very great difficulty in the transition; and the immense number then employed on the public works could not, in the present dearth of provisions, easily pass to their ordinary occupations. The hon. and learned Gentleman said, that the calamity under which the people were then suffering, was caused by the interference of Government; and that last year the failure of the potato crop was exaggerated, and the people represented as in great destitution, in order to extort money from England. He would remind the hon. Gentleman and the House, that last year, he, and other Irish Members, had denied the extent of the potato failure, although they admitted that it was lamentably true that a large portion of the population habitually lived on the verge of destitution; but then, on that account, the entire loss of their food this year fell more heavily upon them. It was, beyond all doubt, an awful visitation from Providence; and he believed the hon. and learned Gentleman (Mr. Roebuck) was the only person in that House, or the country, who would maintain the monstrous proposition, that the Government, or that House, should have left Ireland to cure itself. The hon. and learned Gentleman (Mr. Roebuck) complained, that an Irish party had banded themselves together to resist the introduction of good laws into Ireland, and especially a poor law. That he denied. It was true, that at that crisis of Irish affairs, Irishmen had laid aside their political differences, and cordially conferred together on questions affecting the interests of their country; but they were the interests of the poor, as well as those of property, which, after all, were really identical. They did object to general out-door relief as a system, in a country circumstanced in respect to property as Ireland was; and believed that it would be ruinous to the country, and, above all, destructive to the character and habits of the labouring class. The noble Lord (Lord John Russell) would not be disappointed in the expectation he had expressed, that the representatives of Irish property in both Houses of Parliament would meet the Bill introduced by the Government in a fair and humane spirit; but he could not help observing, that he thought the present an unfavourable opportunity for the calm and dispassionate consideration of a permanent poor law for Ireland. That could hardly be expected, during the cry of starvation, and in the excited feeling of that House respecting Ireland, while he would cheerfully consent to any temporary measure adapted to the existing emergency. There was only one other point in the speech of the hon. and learned Gentleman to which he would refer; and he would do that, to protest against the assertion, that the resident proprietors of Ireland had, as a body, been backward in subscribing to the funds for the relief of the poor. The contrary was the fact. They had subscribed to the utmost of, and many beyond, their ability; and he was persuaded that they would be found ready to share every reasonable burden on their property, and, at all times, willing to co-operate with the Government in every measure of relief they might devise for the suffering people of that country.

Mr. ROEBUCK, in explanation, said, his argument was, that the evils had been greatly increased by the mode adopted for relief. He also contended, that gentlemen in London knew as much of the real state of Ireland as those who had only come from Dublin, though they might have arrived by the last steamer from that city. He received letters and newspapers every day, and he could prove from that information that the large body of resident proprietors had not contributed according to their means. It was not against the shopkeepers or the poorer farmers that complaints were made, but against the gentlemen. It was true he had expressed a suspicion that the poor law would not pass without opposition from the Irish Members themselves; and the observations of the right hon. Gentleman (Mr. Shaw) himself had greatly enhanced that suspicion. He did not say that the landed Gentlemen had banded themselves for the purpose of opposing that Bill; but being already banded on other purposes, they had taken advantage of their association to agree to a paper which the right hon. Gentleman had signed—a paper which had excited the alarm of many of Ireland's lay well-wishers, and also of a large body of Roman Catholic clergy. The right hon. and learned Recorder was in the habit of carefully weighing his words, and he had used the phrase, "As far as their estates were able to bear." He would rather some other person than the right hon. Gentleman and his Friends should be the judge of "how far their estates were able to bear." He would have every farthing swallowed up before they came to the English. The English land was mortgaged for the support of the poor of England, and the land of Ireland ought to be bound in like manner to support the poor of Ireland. If the improvidence or mismanagement of the Irish gentry rendered them incapable of maintaining their own poor, they were unworthy of the trust; and as the English soil was mortgaged for the maintenance of the English poor, he trusted "the good feeling of the people of England" would take care that the Irish soil was fully mortgaged for the relief of the poor of Ireland.

Mr. GOULBURN said: I do not rise for the purpose of entering into a discussion on the Irish Poor Law, or into the duty of the resident proprietors of that country, or into the question whether they have adequately discharged their duty; but I rise for the purpose of addressing myself to the question more immediately before the House; to the statements which have been made by the right hon. Gentleman; and to the mode in which he seeks to provide for an admitted and enormous deficiency. I do not know, Sir, a situation more painful or more difficult than that which has fallen to the lot of the right hon. Gentleman the Chancellor of the Exchequer; and I am bound in justice to him to bear my tribute of praise, in accordance with every hon. Gentleman who has spoken this evening, to the mode in which he has discharged the duty imposed on him. It would be impossible for any one to meet the difficulty more fairly; to lay more clearly before the House the case for which we have to provide; or to state more distinctly the immediate measures to be adopted for relief, or the burdens which, if there be a continuance of the present calamity, we must ultimately bear. Sir, the right hon. Gentleman began his speech by reviewing the expectations which I held out at this period last year of the state of the revenue for the year now elapsing. He has said very truly, that I stated at this period last year that the surplus of income over expenditure might not exceed 776,000*l.*; but, Sir, the House will recollect that I expressly added, that my sanguine expectations were of a surplus exceeding that amount; but, considering the great reductions of taxation which the Government had made, it was impossible to state accurately how much increased consumption would compensate for the repeal of duties;

undoubtedly, my expectations were sanguine. But I felt that expectations of the success of financial measures ought to be most cautiously acted upon. It now appears that the surplus, instead of being 776,000*l.*, is very near 3,000,000*l.*; and whatever blame may attach to my miscalculation, I am quite ready to bear. The right hon. Gentleman has said that I could not have calculated upon an increase in the sugar duties, which is, in a great degree, to be attributed to the introduction of slave-grown sugar; but I beg to state that, as upon a former occasion, when the duty on British sugars was diminished, and the duty on free-labour sugar was reduced, there was a considerable increase in the duty paid upon the sugar consumed in this country, so I was of opinion that as the stimulus to the consumption of free-labour sugar was given by a lower rate of duties, the produce of the sugar duties would still be progressive. It appears that the increase in the consumption of sugar in the year 1845, as compared with that of the year 1846, was in favour of the former year. In the first year, the increased consumption was 700,000 cwt.; and in the latter, notwithstanding the Bill for introducing slave-labour sugar, the increase did not exceed 400,000 cwt. I therefore did anticipate an increase in the sugar duties, even if the slave-labour sugars had not been introduced. The right hon. Gentleman has access to official information, and I think he will find that the quantity of slave-labour sugar hitherto introduced into this country, is comparatively so small that it does not enter into the calculation of increase. This increased prosperity in the revenue, is certainly beyond what I anticipated. That it is the result, in a great degree, of the measures which Parliament has of late years sanctioned for the more free importation of the raw articles of manufacture, and for cheapening the articles which form the chief subsistence of the people, no one will, I think, now deny. The noble Lord (Lord G. Bentinck) indeed urges, that, although there has been an increased consumption of butter and cheese in 1846 as compared with the antecedent year, we have no right to argue that the advantage to the revenue, and the increased consumption, arose from a reduction of the duties, since there has been an equal increase on other articles on which no reduction of duty took place. Now, I will admit to the noble Lord, that in the midst of the general prosperity of the country, whether there be a reduction of duty or not, there will be an increase in the quantities consumed of all articles of general consumption; but I defy any one to look at the list of articles on which there has been a reduction, and to deny that, in consequence of the reduction in the duties, the quantity consumed has been considerably increased, or that the benefit to the consumer has not been proportionably large. The noble Lord has adverted again to what was a favourite topic with him in the discussions of last year; and he has told us that when the right hon. Gentleman the Chancellor of the Exchequer said that we were to congratulate ourselves on the increase in the duties on silk imported, we ought to reflect that we have inflicted a great injury on the silk manufacturers of this country, by the freer importation of manufactured silk. But the noble Lord will give me leave to say, that if we have more freely admitted the manufactured silk from foreign countries, the returns show that we have not diminished but increased our own exports of silk manufacture. It appears from the returns laid upon the Table of the House, that there was of raw silk imported in 1844, 3,600,000 lb.; in 1845, 3,700,000 lb.; and in 1846, 3,900,000 lb.; showing a large increase in each of those particular years over the preceding in the introduction of the raw material. But let us see the effect on exports. In 1844, the declared value of silk manufactures exported was 692,000*l.*; in 1845, it was 700,000*l.*; and in 1846, it was 768,000*l.*; being an increase of 68,000*l.* in value above the silk manufactures exported in the antecedent year, thus showing that while a larger quantity of foreign silk has paid duty on import, the export to foreign countries of our own silk manufacture has materially increased. That the silk manufacturers should have suffered in common with other classes, in consequence of the high price of provisions, is what I deeply regret; no one will deny the amount of their suffering, or the calamity; for, whatever amelioration of commercial or financial system, it may be in the power of Parliament to effect, no one will be prepared to contest the truth that great evils must result from a deficient harvest, and from a consequent deficiency in the necessaries of life. But the noble Lord went on to instance a number of articles on which the duty was not diminished, and on which nevertheless, the consumption has increased. He particularly specified malt, hops, and some other articles. I admit freely this increase, and I point it out as an advantage of the very system which, when I was on the other side of the House, I recommended for adoption: for, if greater scope be given to the industry of the people by the removal of restrictions, and a reduction be effected in the price of articles of primary necessity, their power of purchasing all taxed articles is greatly extended. The noble Lord indeed tells us, that it is owing to the construction of railways that we find this increased consumption, and that it has been mainly occasioned by the large undertakings carried on under the direction of the hon. Member for Sunderland (Mr. Hudson); but the noble Lord ought to recollect, that our experience of the effect of constructing railroads is not confined to the last year. The system had gone on for many years antecedently; and in years too in which there has been a great deficiency in the revenue, those great undertakings of railways have been in progress. I have here an account taken from the Committee on Railways, which shows that in the years in which the revenue had been deficient, there had been a considerable amount expended in railways. The following are the sums raised by railways in progress or completion previous to 1841:—

London and Birmingham ...	8,250,000
Grand Junction	4,638,000
Great Western	8,282,000
Brighton	2,867,000
South-Western	2,600,000
South-Eastern	3,857,000
Midland	7,235,000

and seven others, the capital of which was 10,000,000*l*. If the investment of large capitals in these works throughout the country had been sufficient to insure the comfort of the people, and an increased consumption of taxed articles, there would in those years have been an increased amount of public revenue. Therefore, without disparaging in any manner the benefits to be derived by the country from railroads and from other public improvements, I say that it is not just to ascribe to them alone the great augmentation of the public revenue: that augmentation has arisen from gradually and constantly, yet cautiously, reducing the duties on the prime necessaries of life, and on the raw materials used in our manufactures. Now, the hon. Member for Montrose (Mr. Hume) says that considering the advantage which has already resulted from reductions in the duties on articles of consumption, we ought at once to go farther in the reduction of taxation; and, in the face of the necessity which is admitted on all sides to exist of a large loan to meet an extraordinary emergency, there ought to be an immediate reduction of taxation, which would ultimately raise the revenue. Sir, I have often thought that when the hon. Member has contended for principles which I believe to be right, he has taken exaggerated views of those principles, and has pressed them beyond what they will fairly warrant; and what has fallen from him tonight only confirms that opinion. In former years when we reduced the amount of taxation, there was a surplus revenue, so that we could afford to reduce it, in the expectation that after a certain period the revenue would come round, from the more general consumption of taxed articles. But the system of borrowing money, in order to reduce taxation, is a measure of a very different character, and would not only involve this country in a deficiency, but would be totally irreconcileable with prudence; and when the hon. Gentleman appeals to my practice in this respect, I must say he will find by experience that my course has not been conformable to his views. In the year 1842 there was a reduction made, but it was cotemporaneous with the imposition of a very productive tax, which gave the means of reducing with little risk the duties on many articles; but in the next two years, when the revenue had not recovered from the previous reduction of taxation, nothing of importance was done, although there was the same evidence of success, and the same inducement to persevere, as the hon. Member now points to. It was not till the revenue was again buoyant, that taxes could be taken off, and we then again resorted to the process of a further reduction. I admit that at the present moment we derive great advantage from these reductions; but if we go on reducing taxes, without a due consideration of the situation of the country at the time, we shall be doing great mischief. A review of the success which has attended the system of finance sanctioned by this House for some years, is undoubtedly most satisfactory; and at the present moment I cannot help picturing to myself what the result would have been if Parliament had taken a different course, or had adopted the system which the hon. Member for Montrose recommends, of borrowing money to meet the necessary demands on the income of the country: at this moment, when a sudden storm has come upon us, instead of being comparatively easy, we should have been in difficulties, from which no ability, however great, and no exertions of Parliament, however well directed, would have been sufficient to extricate us. Now, under a different system, we have already provided out of the surplus revenue of former years 2,000,000*l.*; and instead of having the whole amount required by Ireland to raise by loan, we have only to provide 8,000,000*l.*—an amount large and pressing at any time on the finances of the country; but in the present state of those finances we are able to meet the ordinary charges, and may still, after freeing the springs of industry, meet with confidence the difficulties with which we are surrounded. I come now to consider the mode in which those difficulties are to be met. Some few hon. Members have objected to the mode in which the right hon. Gentleman (the Chancellor of the Exchequer) proposes to meet them; and suggested that, instead of meeting them by a loan, they should be met by taxes specifically applicable to Ireland; and hon. Gentlemen have to a certain degree argued that an extraordinary evil is only to be met by an extraordinary remedy. True it is that an evil which is the result of human misconduct and human error may be met by means of human provision; but when there is a great and overwhelming calamity, arising not from human agency, but from the dispensation of a far higher Power—when the crops are blighted and the means of subsistence destroyed—it is not for human agency, however exalted, to palliate such an evil. You must submit to the infliction; and that infliction will be conducive to the moral improvement of the people according as you meet the calamity by measures that will do justice to the people you govern, and will show that your Government is at least that of a Christian community. I cannot, therefore, for one, enter into the argument that it is not our duty to render assistance to the people of Ireland in the calamity under which they labour. I think our first duty is to take every care in our power that the poor and starving people, reduced to that situation by the hand of Providence, should be relieved by us, in the mode pointed out for the exercise of our charity, to an extent commensurate with the occasion. How then is the evil to be met? By loans or by taxation? I quite agree with the right hon. Gentleman, that under all the circumstances—difficult as it may be and objectionable as it may be to raise loans in a time of peace—that in the existing circumstances of the country, a loan is the best mode by which the difficulty may be met. If I were to express any regret upon the subject, it would be that the right hon. Gentleman has, previously to entering into any contracts for this loan, brought it under the consideration of the House, as the announcement may possibly injure his chances in the market, and raise against himself a prejudice disadvantageous to his ultimate proceedings; but that is apart from the proposition how the difficulty is to be met. If the difficulty were one which could certainly be calculated on as recurring every year for some time to come, then I should say the period had arrived at which we should manfully provide for that burden by an annual charge. But, whatever may be our anticipations for the future, no one can undertake to say but that the bounty of Providence, commensurate with the affliction we at present labour under, may do much in the next harvest to restore our prosperity; and though I may not be sanguine on that particular point, and may think at that period that it may still be necessary to make further provision for a very considerable extent of suffering, yet, whilst the contingency is pending, whilst there is a prospect that a large taxation upon the country may not be required, I think it is prudent to provide in the interim by a loan for the present emergency; but at the same time, it should be distinctly understood, that whatever is now advanced as a loan must be repaid by that people for whose benefit that advance is made. I heard with deep regret the observation of the hon. Member for Coventry, in which he spoke of the repayment of the loan, and still more regretted that it was received with a laugh; for I, for one, must say, that if it be the duty of this country to come to the aid of the Irish people by raising a loan for the maintenance of that people in the time of difficulty, it is a solemn duty imposed upon Ireland to provide her share of the burden to which the country is subjected, and not to leave the whole of that charge resting on the people of Great Britain. Anxious and willing as they are to give assistance, they ought not, in fairness to themselves, to bear the whole charge. The case, therefore, of a repayment being to be made, is an additional reason why, in the present circumstances, I consider a loan the most advisable course of raising money. As to the taxation of Ireland, especially at the present moment, I need scarcely add anything to what fell from the noble Lord opposite. It may be perfectly right hereafter to impose upon Ireland all the taxes to which Great Britain is subject; it may be desirable to impose upon Ireland a special tax for the repayment of her share of this burden, if by other means that repayment may not be effected; but to take the present moment, when the whole country is in a state of difficulty, when the gentry of that country have reduced their incomes to the lowest point, in the discharge of the duty they owe to the State and to their dependents, for imposing a new burden which cannot fall upon the millions there, or, if it did, it must be utterly unproductive, but must be thrown upon those who are in better circumstances in the country, and upon whom there is already the greatest possible demand, such a tax now imposed would have the effect either of ruining those who are trying to discharge their duty, or of creating in them a firm determination to abandon their duty, and to leave the country. That I believe would be the effect, if, in addition to the present heavy burdens imposed upon them, they were subjected to any additional taxation. I therefore should protest as strongly as the noble Lord against any taxation upon the Irish people at the present moment, reserving, however, to myself the fullest right hereafter of considering how far the burden upon that part of the United Kingdom is commensurate to its power of payment, and reserving to myself the right of enforcing the power, if Ireland has the power, of repaying her share of the burden now imposed upon the country. I cannot conclude without adding that nothing could be more satisfactory than the speech of the right hon. Gentleman, as showing the success of the measures that were adopted in antecedent years, and that to those measures we are indebted in a great degree for the means we possess of meeting our present difficulties; but, above all, it is satisfactory to me as pledging the right hon. Gentleman to a wise and sound system of finance, as pledging him not to make a demand on our expenditure for temporary relief, and not to throw himself again on the Bank of England at a period when assistance might be obtained with difficulty, and might have a tendency to derange the whole monetary system of the country. Confident am I that, acting upon that principle, he does the best to secure the permanent interests of the country. Above all, I heard with satisfaction that part of the speech of the right hon. Gentleman, able and clear as it was in every part, in which he maintained the principle of upholding a balance in the Exchequer, and of maintaining an income that should be equal to the expenditure of the country.

Mr. VERNON SMITH suggested that the loan should have been rather made in terminable annuities than in 3 per cent or 3½ per cent stock, especially as it was for temporary relief. It that way it would have been a medium between a loan and taxation. But he wished to awaken the people of England to a sense of what they were about to do, although he had no wish to lessen their generosity. He thought that Irish property should be made responsible, ultimately, for Irish poverty; and he did not agree with the right hon. Gentleman the Member for the University of Dublin, that that was not an occasion for discussing a poor law for Ireland; he thought it was a proper, and indeed the only, occasion they could get for that purpose; and he was certain that if they did not take that opportunity, they would, for the next four or five years, hear nothing more of a poor law for Ireland. There was only one other question he wished to put to the noble Lord. The noble Lord had last Session said something about referring the miscellaneous estimates to a Select Committee, and he wished to ask whether the noble Lord intended so to refer them in the present Session.

Mr. Alderman THOMPSON had heard with great satisfaction the high eulogium the right hon. Gentleman the Chancellor of the Exchequer had expressed upon the principle of having a surplus of revenue over expenditure. Generally they had had an excess of expenditure over income, and it was that state of things that rendered necessary the income tax. He was afraid, however, that the right hon. Gentleman would not long have the advantage of a large balance in the Exchequer, because, if he correctly followed the right hon. Gentleman in his figures, he would have only a surplus of 332,000*l.* out of an expenditure of 52,000,000*l.* If a balance in the Exchequer had been found so beneficial to the country, he thought it would have been a wiser and more prudent course if the right hon. Gentleman had proposed to replace part of that 3,000,000*l.* which he had taken out of the Exchequer to meet the exigencies of Ireland. The right hon. Gentleman had read a long list of mills and factories that were in action, as well as of those that were not at work; but such statements proved very little—they did not show anything to disprove that which he would assert to be a fact, namely, that there had, for the last three or four months, been extreme stagnation in the export trade. There was another fact equally important and equally well authenticated, namely, that the Bank of England had been obliged to part with a great deal of bullion. Between February, 1846, and February, 1847, the quantity of bullion in the hands of the Bank of England had been greatly diminished—they had been obliged to part with a very large amount of bullion to pay for corn since November last. As to the foreign exchanges, there was no opinion which could be given on that subject that was worth one farthing—those exchanges would necessarily be regulated by the quantity of corn required for consumption in this country. Then there would be an additional sum of paying the interest on Exchequer-bills, in which a large amount of railway capital had been invested. With respect to the statements which the House had that evening heard from the Chancellor of the Exchequer, he must say that he had nothing to complain of. The Government were quite right in not imposing any additional tax; but he was not so sanguine as to expect that the revenue of the ensuing year would equal the income that the country had received during the last twelve months.

Mr. MOFFATT regretted that the right hon. Gentleman had not extended his statement so far as to inform the House as to the view which the Government took of the Annual Duties Bill. It could not be forgotten that when the right hon. Member for Portsmouth was Chancellor of the Exchequer, the Government had given a distinct pledge that, early in the ensuing Session of Parliament, they should be prepared to name some other duties which might be annually levied. The sum levied under the Annual Duties Bill was 10,000*l.* a year. The alteration with respect to it was agreed to, under protest, by the immediate predecessor of the Gentleman who then held the office of Chancellor of the Exchequer. In the apology made upon that occasion, it was admitted that the constitutional right of annual taxation was vested in the House of Commons; now he wished hon. Members to say whether or not they were willing to give up that privilege of making an annual tax?

Mr. F. T. BARING trusted that after the words which the hon. Member had put into his mouth, the House would give him permission to address them for a few minutes. He protested against its being said that he held now, or ever had held, any such doctrines as those imputed to him by the hon. Gentleman. He was not aware that there ever had been entered any such constitutional protest about the 10,000*l.* a year annual duties. He was not Chancellor of the Exchequer at the time to which the hon. Member referred; but in or out of office he had always held opinions the contrary of those which had been imputed to him. In his opinion, there was no use whatever in exposing a particular trade year after year to the necessity of an annual taxation. There was no necessity for exposing one trade above and beyond all others to annual uncertainty and annual botheration—he hoped the House would indulge him with the use of that word, for it was the only term which precisely expressed his meaning. It appeared to him that, in a constitutional point of view, such a check was wholly unnecessary; besides, it would be unfair to impose an annual tax upon one trade because it had been thought right to relieve another from the inconvenience of that imposition. As he was upon his legs, he hoped the House would give him leave to make one or two remarks upon the statement that they had just heard from his right hon. Friend. He should not make the excuse of saying that he was not prepared to address them, because, having had some practical experience of the matter, he certainly had taken notes during the progress of his right hon. Friend's statement. He confessed that he could not adopt the same prosperous view of our financial condition that had been taken by the Chancellor of the Exchequer; for, even supposing no Irish difficulties whatever existed, matters were by no means in a comfortable condition, because, throwing aside the temporary revenue of the China money, and also putting aside the increased interest on Exchequer-bills, 400,000*l.* was a trifling surplus. His right hon. Friend the Chancellor of the Exchequer had stated fairly enough the expenditure of the country, though there might be good grounds for apprehending that the estimate of the income ought to be taken, subject to some exceptions. After all, the real position of the country was not comfortable. It was said they had a surplus of 400,000*l.*; yet, looking at all the circumstances of the country, that was hardly sufficient to leave them perfectly at ease. Frequent reference had been made to himself as Chancellor of the Exchequer; and everything that his right hon. Friends who held that office had ever said or done, was applied to him. If they would only give him all the credit that had been justly acquired by Lord Althorp and others, he should be willing to bear all the blame that they had ever incurred. Let them not censure him for the errors of those eminent persons, till they gave him leave to appropriate their merits. It was not a little unfair to put him upon the defence of all their official lives, without permitting him to enjoy any one of the advantages which they possessed. The hon. Alderman opposite said that they ought to meet their expenses by their revenue. That language had always been held by himself, and he always had made efforts to accomplish that object; but he begged of hon. Members to recollect the circumstances of the case. He should not go so far back as the year 1841, but he should take the liberty of saying that, if he possessed as large a majority in that House as certain Chancellors of the Exchequer had been able to command—if he, likewise, had as many good harvests as had fallen to the lot of others, he might possibly have presented to the House as favourable a view of our finances as any one of the noble Lords and right hon. Gentlemen who filled the office that he once had the honour to hold. He quite agreed with those who thought that inasmuch as it was now most difficult to bring the income and the expenditure of the country into perfect equilibrium, it was better to overcome that embarrassing state of affairs by a loan, than by the imposition of a fresh tax; and he thought further, that, looking at the whole position of the country, his right hon. Friend had acted not unwisely by declining to disturb the financial condition of the country, and preferring to raise a loan. His right hon. Friend could not take what was called a comprehensive view of the financial state of the country, for this among many other reasons, that it was impossible to say what might be the charge for Ireland. As to the income tax, that was a matter decided: from the outset he said that that never would be taken off, and circumstances had not yet proved that he was mistaken; moreover, he did not think he ought to conceal from them the conviction which pressed upon his mind, that in the course of the next year they must look very carefully into the state of the public finances. He did not hope that the income of the country was susceptible of much increase, or that the public expenses were capable of much diminution. He had not availed himself of any portion of the plans of the right hon. Gentleman opposite, though the late Government had availed themselves of his principles, and carried them out; but, however that might be, he believed the right hon. Gentlemen opposite would agree with him when he said, that they must not calculate upon continued increase of income, neither ought they to calculate too confidently upon the effects of free trade; they ought, on the contrary, to be prepared for the alterations which must inevitably occur: the right principle would be, to keep a sufficient surplus to meet those alterations. From 1834 to 1842, the whole amount by which the capital debt of the country was increased was less by 1,000,000*l.* than we had paid in one sum for slave compensation to the West Indies. And he must say that the efforts that had been made to reduce the expenditure of the country, had been made rather by the Government, than against it. There was one little word, once very popular, which had been too seldom pronounced of late—the word "economy." Expense had been pressed upon Ministers, who had rather acted the part, if any, of protectors of the public purse. Time was when those who sought popularity had for their watchword reduction of the public expenditure; but now Governments were obliged to make that their care, while those who pressed Parliament to apply to the public purse, gained the more in public estimation. He did think, however, that the rapid increase of the public expenditure was well worthy of consideration. [Mr. HUME: Hear.] He was glad to hear that cheer from the hon. Member for Montrose. He wished his efforts had been more effective in that House. But he had long been silent; except, indeed, an annual formal protest; he seemed rather to be resting on his laurels than to be exerting himself for the future. [Mr. HUME: It is perfectly hopeless.] He found that from the year 1835 to the year 1846 the increase of the expenditure had been about seven millions. No doubt 1835 was a year of very low estimates—too low, perhaps, to afford a fair criterion. But, take the period from the year 1830 (before the Whigs came in and cut down the expenditure) to 1846, and the increase would be found to be 5,000,000*l.* From 1836 to 1847 (this was the period from which the right hon. Gentleman's own data were taken), the increase in the naval, military, and ordinance estimates, had been 5,000*l.* Now he was not inclined to cut down the rewards of public servants; and when it was necessary for the safety and honour of the State that our establishments should be kept up at this rate, he, for one, would not oppose increased taxation, however unpopular such a measure might be. But where there was no concealing the prospect of increasing burdens to the country, as was now the case, he did think it behoved the House to change its conduct a little, and to assist the Government to cut down the expenditure as far as possible, rather than to urge it to bleed at every pore, as was now the case.

Mr. MUNTZ must say, he thought it would have better become them to look their difficulties in the face, and at once to have proposed an increased taxation, instead of putting off the evil day. He thought it would be more to our credit to raise the money now, than to have to do it at some future time, when, perhaps, it would not be so easy. In public as in private life, there was no more dangerous practice than not to meet pecuniary difficulties. Admitting, however, for the sake of argument, that a loan was the right mode of meeting the case, then he contended that it was equally necessary to have new taxes to meet the interest. But as it was, no means of payment whatever were pointed out. If, every time we got into difficulties, we resorted to the medium of a loan to extricate ourselves, we should soon add 100,000,000*l.* to the national debt. The Chancellor of the Exchequer had said, he would not repeal the copper duty, which now produced 40,000*l.* Probably next year it would not yield 20,000*l.*; and in the mean time our manufacturers suffered. Quantities were exported from South America to the various ports of Europe, without any advantage to our miners, but to the great injury of our manufactures. He repeated, that he thought immediate taxation would have been much better than this loan proposed by the right hon. Gentleman.

Mr. B. ESCOTT did not quite agree with the hon. Member, that immediate taxation was preferable, because he looked on the present Parliament as being, for such purposes, effete. Those who expected any great benefit to the financial position of the country from this Parliament, deceived themselves. The sooner the present House returned to their constituents, and a new one was returned to take the finances of the country into consideration, the better. That was a great question which must sooner or later be taken up. He had two objections to the present measure: first, he regretted that when such large sums were necessary, in order to meet the dreadful emergency that had arisen in Ireland, an opportunity had not been taken of raising the money by such additional taxation as would at the same time have relieved the industrious classes from many of their burdens. He thought it would have been very easy for the three Chancellors of the Exchequer who had spoken to have devised a scheme by which all this money might have been raised, and, at the same time, industry relieved. At the same time, he thought a very fair reason had been alleged, in the fact that this was the last year of the present Parliament. Another objection he had was, that he could not understand how the Ministers could come down to Parliament and ask for so large a loan on account of Irish distress, while, at the same time, they kept up the taxation on some of the chief articles of consumption. Last August he had put this case to the noble Lord, and had intimated his fear that, while these taxes were being retained, many persons would in the meantime die of starvation. He was then told, that in any part of Great Britain or Ireland, scarcity could have no such effect. Yet now it appeared that thousands had been dying of starvation, and they were asked for a loan of 8,000,000*l.* to supply the necessities of a great portion of the people of Ireland. He confessed, however, he could not conceive how Ministers could come down to Parliament with such a request, when, at the same time, they kept up high duties on the most necessary articles of consumption. He thought that for such a scheme of taxation to have been kept up so long in time of peace, did cast a serious reflection on successive Governments of this country. Cheese and butter were articles that had been especially mentioned as articles that had been unfairly taxed. Did any man suppose, that, had the price of those articles been lower from the duty being low, they would not have been more largely consumed? Had the right hon. Gentleman proposed the immediate repeal of such duties as these, he was sure he would not have met with more than two or three Members of that House to dissent from that proposition. He felt sure the noble Lord the Member for Lynn would not have dissented. The noble Lord implied by his gesture that he would. At all events, if he did so, he would find a much smaller minority voting with him than he had on his Irish railway scheme. And really he would not be surprised that the noble Lord should now recur with some triumph to that scheme; for where the Government were now calling for a loan of such magnitude, he did not wonder that the noble Lord should prefer a loan which, if so much larger, might, at least by possibility, be employed beneficially for the people. At all events, he did hope that the subject of the total and immediate repeal of all the duties on provisions, would soon occupy the attention of the Government and of Parliament.

Mr. EWART, although anxious not to offer an unfriendly criticism on the measures proposed to-night, while generally friendly to the Government, must nevertheless express his opinion that they had on this occasion thought too much of the present, and too little of the future. And, on the other hand, he must admit that the noble Lord the Member for Lynn, in his perhaps too magnificent plan, had more regarded the future. He agreed with the hon. Member for Winchester, that they ought to look to emancipating articles of food from taxation, and also to freeing trade, as far as possible, from fetters, for the future prosperity of the revenue and happiness of the people. At the same time, he did not see how they were to do this, unless, as the right hon. Gentleman the Member for Portsmouth advised, they were to take a comprehensive view of our whole existing system of taxation. The time was at hand when they must take a courageous view of this subject, when they would see the necessity of a more extensive application of the principle of direct as opposed to indirect taxation. That great question was on the distant horizon; but it was destined to rise upon the attention of the country. The present budget might satisfy our consciences for the moment; it was one of those soporifics which lulled the symptoms of the patient for the existing time: but those who would attend to the permanent interest of the country, must look to the future, and must take a comprehensive and total review of our present mode of taxation, and introduce, not a sudden, dangerous, or theoretic, but a wise, moderate, and sober change of a system which was at variance both with the principles of the right hon. Gentleman the Member for Tamworth, and with the lasting interests of the country.

Mr. BANKES was not surprised to find that the time had already come, when the proposition of his noble Friend the Member for Lynn was beginning to be received with a greater degree of favour than when it was last under discussion; but it was certainly gratifying to find one Member after another expressing an opinion that, comparing the scheme of the noble Lord, with the one which had that night been submitted to the House, there was at least this merit in it—that it proposed some return for the outlay of the money; whereas there was none proposed for the eight millions which were now claimed by Her Majesty's Ministers. The hon. Member for Winchester (Mr. B. Escott) had said, that he did not at the time, when the noble Lord's scheme was propounded, think so favourably of it as now. He did not wonder that the hon. Member had not taken so favourable a view of it, for he had not taken the pains to understand it. The Chancellor of the Exchequer had called for a sum of eight millions, without the slightest prospect of a return—["No!"]—well, without a reasonable hope of a return of a single shilling of it. The right hon. Gentleman the Member for Tamworth had asked the other night, what was the credit of the country; and had afterwards answered the question himself—for there was no man more capable of doing so; but he might be allowed to say, that there was an answer given a great many years ago, by an eminent predecessor of that right hon. Gentleman, who, when asked what was the credit of the country, replied, that the credit of the country was not the sun, but the sunshine; it gave life and spirit to every thing around it, without injury to the source from which it emanated. He thought that this was the nature of the proposition of his noble Friend; he wanted to extend this sunshine of the sun of England over the plains of

Ireland; and he did not envy the feelings of the man who would interpose his shadow to prevent it. He felt that the people of Ireland had a large claim upon this country for the fulfilment of the promises which Mr. Pitt had held out to them at the time of the Union. Mr. Pitt said—

> "If it be true, that this measure has an inevitable tendency to admit the introduction of that British capital which is most likely to give life to all the operations of commerce, and to all the improvements of agriculture; if it be that which, above all other considerations, is most likely to give security, quiet, and internal repose to Ireland; if it is likely to remove the chief bar to the internal advancement of wealth and of civilization by a more intimate intercourse with England; if it is more likely to communicate from hence those habits which distinguish this country, and which, by a continued gradation, unite the highest and the lowest orders of the community without a chasm in any part of the system; if it is not only likely to invite (as I have already said) English capital to set commerce in motion, but to offer it the use of new markets to open fresh sources of wealth and industry, can wealth, can industry, can civilization increase among the whole bulk of the people, without much more than counterbalancing the partial effect of the removal of the few individuals, who, for a small part of the year would follow the seat of legislation?"

The time was now come for the fulfilment of that promise, and to give, if not the wealth, at least the credit of England to help to fertilize the plains of Ireland. Under these circumstances, he was happy to find so soon, after the rejection of his noble Friend's proposition, that its merits were, in the face of Ministers, acknowledged; and that it was admitted, that if we were to have so large a drain as was now proposed, the plan of the noble Lord would distribute it more equally, and over a larger space of time, while it would also give some hope at least, if not the certainty which the noble Lord entertained, that there would be some return for the capital which we were to lend. He could not, therefore, but congratulate his noble Friend, that, notwithstanding the defeat which he had sustained by numbers, which he had no reason to expect when he made the proposition, the merits of his scheme were thus early beginning to be better appreciated; and he believed, that before the end of the Session, a considerable portion of it would be adopted.

Mr. M. J. O'CONNELL said, that with reference to his vote on the noble Lord's Railway Bill, he had explained the grounds of it in a letter to his constituents, which he thought a better plan than making a speech upon it now in that House; but he begged to remind the hon. Gentleman who had just spoken, that the noble Lord's proposition could not have been adopted as a substitute for the 8,000,000*l.* now proposed—it would only have been an addition to it. Then, again, when the hon. Member said, that he did not believe that any portion of the money would be paid, he felt it to be his duty to say that that portion of it which was advanced as a loan, would, he hoped—unless the calamity were to return in a far greater degree than it had yet done—be paid, and punctually paid. It might be that in some districts of the country there would be a difficulty in raising rates; but when allusions were made to particular districts, as being in this position, it was too commonly supposed by the House, and the public, that they applied to the whole of Ireland; but he for one, would say, that if the poor rates and the county rates were not repaid, and if direct taxation were to be resorted to, in consequence, unpopular as it might be, he would be ashamed of himself if he did not give his voice and vote in favour of it. With reference to the measure of the noble Lord the Member for Lynn, he begged to say, that, while he thought it was not judicious liberality to the railway proprietors of Ireland, he hoped the principle on which it was founded, would be attended to by the Government. He thought the noble Lord deserved thanks for having brought the matter under the consideration of the House; and he trusted that it was one of the measures to which the Government would sooner or later direct their attention, so as to carry out the principle and give judicious aid upon sufficient and carefully secured terms to railway enterprise in Ireland. It was gratifying to observe the feeling which prevailed in that House towards Ireland; and a few exceptions did not take away from what he might call its moral universality throughout the country. The proper course for those who agreed with the hon. Member for Bath, would have been to resist the first proposition made by the Government to give any aid to Ireland; but their opposition would have been scouted on all sides, and the reception of their proposal to withhold assistance, would have shown the people of Ireland what were the real feelings of the people of England.

Mr. FINCH thought, in considering the sources of difficulty to the country, the system of currency could not be overlooked. If there had been a properly restricted paper currency, the interest of money would not now have been above 3 per cent. What difficulty would there have been in raising a loan of 4,000,000*l.* for railways, if the interest of money had not been raised to 4 per cent by the Bank of England in consequence of the efflux of bullion, with a prospect that, before six weeks elapsed, it would be raised to 5 per cent? He blamed the vicious system of the currency, which threw the country every five or six years into a gold fever, and so involved their manufacturing and commercial interests in disorder. The reduction of the naval and military establishments had been suggested; but in the present temper of France, it was necessary to maintain them on their present footing; and, though great results had been promised from free trade, none had been realized in so far as regarded their relations with Austria, Prussia, and Russia. The question of an increase or decrease on those establishments, depended on considerations connected with foreign countries, rather than on any of an internal character. A social revolution was said to be taking place in Ireland; and if a loan of eight, or sixteen, or fifty millions, could be of real service in improving the state of that country, the money would be well bestowed. An extension of direct taxation had been advocated by an hon. Gentleman who had lately addressed the House; but it seemed to be overlooked that there were other means of raising the revenue which was wanted. The tax upon cotton had gone into the pockets of the growers of cotton, and the price was now higher than ever. So it was with the tax upon wool. And he had no hesitation in saying, that increasing the customs duties, would by a great many be preferred to increasing the income tax. In conclusion, he had only to express his belief, that the right hon. Gentleman the Chancellor of the Exchequer had made the best financial statement which it was in his power to make.

Resolution agreed to. House resumed.

AGRICULTURAL TENANT-RIGHT BILL.

Mr. PUSEY, in moving the Second Reading of this Bill, was understood to say that he should, at the suggestion of several hon. Members interested in agriculture, consent to have the Bill sent before a Committee up stairs.

Colonel SIBTHORP said, he should give the Bill his most strenuous opposition. It would interfere unnecessarily between landlord and tenant, and disturb the mutual good feeling that at present existed between them. He should never sanction the introduction of such rigmarole Bills.

Mr. S. HERBERT said, he had come down to the House with a very different feeling towards this Bill from that expressed by the hon. and gallant Member who had just sat down. He believed that any Bill on agricultural matters, emanating from a Gentleman of such talent and experience as the hon. Member who introduced this measure, was deserving of respectful attention and consideration. At the same time he must say that he could not vote for the Bill as it now stood. The gallant Officer said, no such enactment was necessary; but the gallant Officer must recollect that he had the good fortune to live in a part of the country where the custom of the country was so well ascertained that the tenant could suffer no wrong owing to the want of such a law. Indeed it was upon the model of that custom that the hon. Gentleman's Bill was framed. He did not think that any legislative enactment was so effective as a custom, for you could not apply to every description of landlords and tenants, one uniform rule. There must be a great variety of tenures, of arrangements, and peculiar habits, to which it would be impossible to adapt any particular enactment. His opinion was, that a Bill securing tenant-right would be valuable; and he was glad to hear that it was the intention of his hon. Friend to send the Bill to a Committee up stairs, where it would be discussed, and any objectionable provisions it might contain be removed.

Mr. MILES approved of the suggestion to send the Bill to a Committee up stairs, and expressed his conviction that some Bill of the kind was absolutely necessary, so far as tenants were concerned.

Mr. FINCH thought it right that the tenant should be compensated for any improvements he might make; but in most cases notice of intended improvements should be given to the landlord, and he should be satisfied that they were *bonâ fide* improvements. With some alteration to that effect, he thought the Bill might be made a very good one.

Mr. NEWDEGATE was inclined to think that the hon. and gallant Member for Lincoln (Colonel Sibthorp) had arrived at a very hasty opinion on the Bill. He trusted, however, that great care would be used in further proceeding with it, for if any absolute bar were placed in the way of mutual agreements between tenant and landlord, upon such terms as they themselves might select, he feared that a disruption of those relations would be effected, which he was sure was the last object the honourable promoter of the Bill had in view.

MR. ESCOTT thought there was so much good in parts of the Bill that he was almost afraid that the result of sending it up stairs to a Select Committee would be to send it to a place whence it would never return. At the same time he had great doubts if the measure, as it now stood, would effect the great and important objects which the farmers had in view, and which it could not be disputed they were determined to accomplish if possible. The question then was, if this were the right measure. He hoped the result of sending it up stairs would not be to shelve it for another Session, which he apprehended that it would.

MR. HENLEY said, that in giving his assent to the second reading, in order that the Bill might be sent up stairs, he wished it to be understood that he did not approve of many of the provisions contained in the Bill. It was certainly desirable to place this difficult subject upon a satisfactory footing, but he was quite convinced that in its present shape the Bill would not have that effect.

SIR W. JOLLIFFE considered the Bill would be detrimental to the tenants' rights in some districts, and therefore wanted to know if it was intended that the Bill was to extend to every part of the country.

MR. PUSEY begged to say that the tenants' rights referred to by the hon. Baronet were those respecting husbandry, and quite distinct from those contemplated by the Bill. As to what fell from the hon. Member for Oxfordshire, as to the drawing up of the Bill, he must say that the hon. Gentleman had taken hold of a mere verbal error, for the Bill had been drawn by one of the ablest conveyancers in London; and with regard to its principle and working, he would be quite prepared on a fitting occasion to argue the same against the hon. Member. This Bill was the result of many years' labour; and he trusted something effectual would be done this Session, as he considered it was the only means of averting that distress which must inevitably follow unless some such Acts were passed.

Bill read a second time.

LAW OF MARRIAGE (SCOTLAND).

The LORD ADVOCATE moved for leave to bring in a Bill to amend the law of Scotland affecting the constitution of marriage. The learned Lord, who was almost inaudible, was understood to say that he did not intend to touch the principles of the law of Scotland in relation to marriage, but to narrow the evidence by which a compact so important should be proved, and not to allow it to rest upon such a vague, uncertain, and indefinite foundation. Marriage had often been held to be constituted where he really believed parties did not intend it. If the Bill which he had just brought in should be carried, he hoped to make the registration so easy that there should be no excuse for not having a marriage registered at once.

SIR JAMES GRAHAM: Taking into account the enlarged experience and careful attention brought to bear on this Bill, he was sure it would be introduced in as perfect a shape as possible. But the learned Lord, in the notice which he had given, had not referred to a portion of the subject to which his (Sir James Graham's) attention, living on the Scottish border, had been particularly called. He saw flagrant and constant abuses arise from the facility of marriage, as applicable not to the inhabitants of Scotland, but to those living on the English side of the border, who crossed over without the knowledge of their friends, contracted marriage, and then recrossed. He did not know whether this point had fallen under the special attention of the learned Lord; but it was worthy of his attion whether a clause might not be inserted, making a residence in Scotland for a certain time imperative on those who contracted marriage there. He was well aware of the extreme difficulty of the subject; but he thought that some due restraint ought to be imposed on the extreme facility now allowed, which often led to clandestine marriages.

The LORD ADVOCATE felt very much indebted to the right hon. Gentleman for this suggestion. The subject alluded to was not immediately under his consideration, as his Bill related only to the inhabitants of Scotland. There might be very great difficulty in requiring residence *animo morandi;* but if the contraction of marriage were prevented unless one of the parties had been actually resident for a certain number of days, the Gretna Green marriages would become as difficult as they were now easy. If the Bill which he had just brought in should be carried, such residence might easily by a clause in one of these Bills be required to be in the registrar's district.

Leave given. Bill brought in, and read a first time.

House adjourned at half-past Twelve o'clock.

HOUSE OF LORDS,

Tuesday, February 23, 1847.

MINUTES.] PUBLIC BILLS.—3ª and passed:—Destitute Persons (Ireland).

Received the Royal Assent.—Buck Wheat, &c. Importation; Brewing from Sugar; Distilling from Sugar; Chelsea Pensions.

PETITIONS PRESENTED. By the Duke of Rutland, from Leicester, and several other places, for the Repeal of the present Law of Settlement, and for a National Rate for the Relief of the Poor.—From the Relief Committee of Taghmon, Wexford, for the Adoption of a more Extensive System of Railways in Ireland.

DESTITUTE PERSONS (IRELAND) BILL.

The MARQUESS of LANSDOWNE moved the Third Reading of the Destitute Persons (Ireland) Bill.

LORD BROUGHAM thought the Bill had not been very carefully drawn, and pointed out several defects, as he considered them, in its construction. In regard to the constitution of relief committees, the third clause did not give the Lord Lieutenant power to appoint those committees, but enabled him merely to issue general or special orders under which their appointment should take place. He again expressed the pain and alarm with which he regarded such measures. If loans and grants were made, as proposed, he knew not how the Irish people could be weaned from the habit of relying for assistance upon this country. The idea of supplying work, wages, and food, was really so wild, that he must protest against the measure; and his fear was, that what might now be done would be much worse than nothing.

The MARQUESS of LONDONDERRY deprecated the tone assumed by the noble and learned Lord; he thought it hard to run down people who were compelled by circumstances which were entirely beyond their control to seek assistance, and to say that they always relied on others, and not upon themselves. The noble and learned Lord, on a recent occasion, complained of the Irish landlords as persons who were keeping their servants and carriages, and drinking their French wines; but the fault was, not that they had these things, but that they did not have them in Ireland. When they saw noble and learned Lords going abroad and living in France, they were apt to follow the example; but they were naturally sore at being singled out to be complained of, while others went free. Among their misfortunes, not the least was the formation of the so-called "Irish party." If ever there was anything opposed to the best interests of this empire, it was the unfortunate notion that it was necessary to discuss measures for Ireland before they were brought into deliberation in Parliament, and the expectation that, after such discussion, they would receive the unanimous approval of the Members of either House of the Legislature. It led to the impression that Parliament was indifferent to the interests of Ireland. This was a strange union that had taken place between Conciliation-hall and noble Lords. But he believed that in every meeting of that "party," there had been as much disunion as in either House of Parliament, if not more. He begged to express his sincere thanks for the liberality of the people of this country; but he regretted that the measures brought into Parliament had not been more maturely weighed, and that different plans had followed one upon another so fast, that they were hardly understood. The Arms Act ought not to have been allowed to be so long off the Statute-book. The poor-law system ought to be extended, though not to the length contended for by some—a length which would render it very prejudicial to the landed proprietors. But he did not know what would have been the state of the country but for such a poor law even as it had had.

LORD BROUGHAM: He could assure the noble Marquess he was totally mistaken in supposing that he attacked the Irish people—"run down" the Irish, as he termed it. He did not base his objection to this measure upon any national peculiarity of the Irish; he should have had the same objection to this Bill, if it had applied to the Scotch or the English; the Irish were somewhat less provident than the Scotch, but perhaps not so much less provident than the English. So far from finding fault with the charity of the English towards the Irish, he highly approved and applauded the kindly feeling which had been displayed, and the magnificent donations which had been given by the public. What he objected to was, that any people whatsoever should be led to look for their support to a Government fund of million upon million. As to the charge of absenteeism now brought against him, his residence out of this country was never for above two or three months, at a season of the year when there was no person in this town, and when Parliament was not sitting; and his residence abroad never interfered in the slightest degree with either his duties here, or, as he hoped, in that part of the country with which he was more immediately connected. He had not made any charge against the noble Marquess for not residing in Ireland; no doubt, the noble Marquess was doing great good by residing where he did; but the difference between himself and the noble Marquess was just this, that he, himself, was only absent for two or three months in the year, and the noble Marquess only resided for two or three months. He (Lord Brougham) had thrown no imputation upon the Irish people, and he never grudged them any of the charitable aid afforded by so many persons in this country.

The Marquess of LONDONDERRY: I would be the last person to say that the noble and learned Lord should not go to France, or have his boar hunt, or anything he pleases; but still I must say, why should he hunt the Irish landlords, and run them down?

Lord BROUGHAM: I never ran down an Irish proprietor, any more than I ever ran down—

The Marquess of LANSDOWNE: A boar!

Lord BROUGHAM: I assure the noble Marquess I never engaged in the diversion of boar-hunting in any part of the Continent.

The Marquess of LANSDOWNE was understood to propose to remove the doubt which had been suggested by the noble and learned Lord, by inserting in section three, words directing that the relief committees be constituted not only "in such manner," but "of such persons," as the Lord Lieutenant shall direct. The noble Marquess also proposed some other verbal amendments, including one to meet the objection made on the previous evening by the noble Earl opposite (the Earl of Ellenborough), though the apprehended abuse could not have taken place without a combination of a relief committee with the Lord Lieutenant and the Government to defeat the object of the Legislature.

The Amendments were agreed to.

The Marquess of WESTMEATH, in reference to what had been said respecting the Irish party, observed, that in a great calamity like that which had befallen Ireland, it was only natural that persons belonging to it should assemble together to consider what would be beneficial to their country. With respect to the Bill, he regretted that there was not some provision in it for the more effectual recovery of rates.

Lord BEAUMONT took that opportunity of correcting a mistake in one of Mr. Otway's letters, dated January 17, from Castlebar. In this letter it was stated that a noble connexion of his, Lord Kilmaine, had not paid a great portion of his rates. Since the letter in question was printed and laid on the Table, he had had communication with the noble Lord, and also his agent; and he was authorized by them to say that statement was totally incorrect. All the rates due from Lord Kilmaine had been paid, and that too immediately on application for them. He was not surprised at such errors creeping into the letters, because, from the manner in which the accounts and books were kept, there was great difficulty in the ratepayers knowing what was due from them, and in the assistant-commissioners ascertaining what was the state of the rates. This accounted for such errors as that into which Mr. Otway, no doubt unintentionally, had fallen. With respect to the Bill, he thought it went to prevent the establishment in Ireland of a class of persons whose presence throughout the country would be a real blessing—viz. retail dealers. According to the Bill, the Government were to buy at wholesale and sell at a low retail; and this would have the effect of discouraging the establishment of small retailers in Ireland. He knew that the Bill, under existing circumstances, was absolutely necessary; but he was adverting to a provision in it which it was desirable that the Irish people should understand would cease after the present necessity. He considered that the great curse of Ireland had been the want of retail dealers. He believed that, if, as in England, there had been a large number of retail dealers in that country, the grain already here, and that which would have been imported, would have afforded sufficient food—though certainly at a high price—to prevent three-fourths of the misery which now existed. The misfortune had been the want of the means of distributing food, especially in the more remote districts of the country, rather than the absolute scarcity of food. It appeared from the census returns that there were in England only three labourers to every acre of cultivated land; while in Ireland, according to returns now upon their Lordships' Table, there were above eight labourers to each acre of cultivated land. Now, if they were to introduce an improved and economical system of farming into Ireland, it would be impossible for eight men to each acre of land to obtain such fair wages as were consistent with economical farming; and he was convinced that the only effectual means of benefiting Ireland, and one to which he was satisfied they must eventually resort, was a system of emigration. He also thought that in all engagements between landlord and tenant in Ireland, a clause should be introduced requiring that a system of cultivation should be adopted on the principle of the four-course system, and that every farmer should be compelled to consume his own straw upon his land.

Bill read 3^{a} and *passed.*

House adjourned.

HOUSE OF COMMONS,

Tuesday, February 23, 1847.

MINUTES.] PUBLIC BILLS.—1^{o} Legal Quays (London).

PETITIONS PRESENTED. By Mr. T. Duncombe, Mr. J. Fielden, and Sir B. Hall, from several places, for Alteration of the Law respecting the Registration of Voters.—By Lord Brooke, from Kenilworth, for Better Observance of the Lord's Day.—By Mr. Pattison, from Shipowners of London, for Repeal of the Duty on Copper Ores.—By Sir J. Y. Buller, from Torbay, and Mr. J. H. Vivian, from Swansea, for Reduction of the Lighthouse Dues.—By Mr. E. Ellice, and other Hon. Members, from several places, against the Proposed Measures respecting Sugar and Rum.—By Mr. F. Baring, from Portsmouth, for the Abolition of Corporal Punishment in the Army and Navy.—By Mr. W. Patten, from Warrington, in Favour of the Ten Hours Factory Bill.—By Major Macnamara, from Gentry and Landholders of the County of Clare, for Time to consider Measures relative to the Improvement of Ireland.—By Mr. Cabbell, from Windsor, for Inquiry respecting the Military Knights of Windsor.—By Mr. Escott, from Robert Langslow, Esq., late Judge of the District Court of Colombo, in the Island of Ceylon, complaining of Dismissal.—By Sir F. Trench, from Scarborough, against Repeal of the Navigation Laws.—By several Hon. Members, from numerous places, for Repeal or Alteration of Poor Removal Act.—By Major Macnamara, from County of Clare, in Favour of the Railways (Ireland) Bill.—By Mr. Cripps, from Cirencester Union, for Alteration of the Law of Settlement.

EXPENSES OF PRIVATE BILLS.

MR. HUME said, that he was about to propose the reappointment of a Committee, which sat last Session, for the purpose of inquiring into the Private Business of the House, with the view of reducing the expenses connected therewith. The suggestions contained in the report of the Committee which sat last Session, had, in several instances, been acted upon with great advantage, and particularly as respected the proving of Standing Orders. Under the old system, it frequently happened that 200 or 300 witnesses were detained in town for upwards of twenty days, at the expense of the promoters of a Bill, whilst the Standing Orders were being proved; but now the business was despatched in a couple of days. One very important object, however, had still to be effected, and that was the establishment of a table of fees, by which the charges of promoters and opponents of Private Bills should be regulated. Every tribunal but the House of Commons had enforced a system of that nature. In the early part of the Session, he proposed a resolution on the subject; but it then appeared to be the opinion of the House that it would be the better course for him to bring in a Bill to effect the object which he had in view; but he found that so much difference of opinion prevailed with respect to the mode of taxing costs, that he found himself obliged to propose the reappointment of the Committee to consider that point. He, therefore, moved—

> "That a Select Committee be appointed to continue the inquiry into the Private Business of the House, the expenses attending the obtaining of all Private Bills, including all the expenses of the opponents as well as the promoters of Bills, and the taxing of expenses thereto."

SIR W. JAMES asked, whether the inquiry of the Committee could not be extended to Bills already passed? He thought some retrospective investigation called for; the contradictory legislation of the House on Private Bills produced great inconvenience. In the town he represented (Hull), different local Bills contained contradictory enactments.

MR. HUME said, the inconvenience had been already provided for as far as the expressed opinion of a Committee could go. It had recommended that, in all cases in which corporate bodies applied to Parliament for new Bills, they should be, if possible, consolidated into one measure, avoiding contradictory clauses; that Bill to be the only measure regulating the local business of the corporation.

Motion agreed to, and Committee appointed.

LANDED PROPERTY (IRELAND) BILL.

MR. ROEBUCK, seeing the Secretary for the Home Department in his place, although the noble Lord at the head of the Government was absent, wished to put a question to him regarding the vote agreed to last night, by which 1,500,000*l.* were granted under the Landed Property (Ireland) Bill. He had thought from what the noble Member for London had said on a former day, that this measure was to proceed *pari passu* with the Irish Poor Law; and as the essence of the measure was money, he wished to know whether the vote of last night was a mere formal resolution not binding upon the House hereafter; or, in other words, whether the engagement entered into between the noble Lord and himself was to be infringed?

SIR G. GREY said, that the resolution of last night was merely a formal proceeding, necessary in all similar cases, in order that a clause might be introduced into the Bill which any Member might oppose if he saw reason to do so.

RAILWAY BILLS.

MR. ELLICE, in rising to bring forward the Motion of which he had given notice, relative to referring all Railway Bills to the Railway Commissioners, observed, that the necessity for it was so self-evident, from the magnitude of railway transactions, and their connexion with the financial interests of the country, and indeed on every other account, that it would not be necessary for him to detain the House long with any detailed facts, or comments upon them. When he had mentioned the matter before, he was led to infer, from the information which had been furnished him, that the amount of capital to be raised for the construction of railways in the present Session, would be about 40,000,000*l.* sterling. He had moved for an accurate return, but there had not been time as yet to make it. However, as far as he could ascertain the fact, it appeared that, instead of 40,000,000*l.*, the amount would be in reality 120,000,000*l.*, of which 80,000,000*l.* were capital, and 40,000,000*l.* borrowed money. He had moved at the same time for another return, which he could have wished was before the House, before moving his proposed resolution—namely, the actual amount of capital raised under former Acts—of the extent of power still remaining to be exercised, to raise further capital and loans—and of the amount of loan notes, debentures, or money borrowed in other ways, still outstanding. The complicated and difficult character of that return necessarily caused delay; and it was not yet, he regretted to say, in a condition to be laid before the House. The only course left him in the case, therefore, was to endeavour to give an idea of the nature and extent of the enormous monetary operations of these undertakings, by stating the condition of some of the companies, as represented in published proceedings, at the meetings of their shareholders. The first he should take was the North Western, late the London and Birmingham Railway. That company had raised 10,000,000*l.* of capital, and 6,000,000*l.* of loan; they had, moreover, a power to raise a sum equal to 10,000,000*l.* more of both; thus extending their engagements to 28,000,000*l.* The Great Western had raised 4,800,000*l.* capital, with 4,500,000*l.* of loan, and was represented as involved in engagements for leases, amalgamations, and unfinished undertakings, to an extent exceeding 30,000,000*l.* The Eastern Counties, which succeeded in his list, had raised a capital of 4,200,000*l.*, and 3,400,000*l.* on terminable annuities and preferential stock, part of which was represented by fictitious stock, under the title of *bonus.* That company had also a further power of raising money, but he did not exactly know the sum. The Manchester and Leeds, which followed, raised 2,000,000*l.* capital, and 1,800,000*l.* by loan; and they had a power in their Act to increase it to 10,000,000*l.* The fifth and last he should refer to, was the Midland Railway, with their connexions of the North Junction, the engagements of which he could not accurately state to the House; but if the Bills on the Table were to be all passed, he believed that the hon. Gentleman opposite (Mr. Hudson), would be placed at the head of railway concerns with a capital of 30,000,000*l.* In these cases, there were various powers, most of them very anomalous, given to raise capital and to contract loans—powers, which, if not of an absolutely conflicting nature, were founded on different principles in every case. He found, besides this, that the North Western Company had last year been authorized to raise 5,700,000*l.* exclusively by loan, and that they had now Bills to raise further capital, in guarantees to other companies, or in subscribing capital to these companies. That being the extent of the existing transactions of a few of these companies, he deemed it necessary to call the attention of the House to the numberless Bills then lying on the Table, principally promoted by old companies, for the purpose of obtaining powers to raise additional capital; some for new branches, others for amalgamations, more for leases, many for purchase of other lines, several for guaranteeing profits from railways in cases where there were no returns, and not a few for various and anomalous arrangements for raising money, converting loans into shares, and paying interest on capital yielding no return. To show the House how various were the provisions of the Bills brought before it, he had in his hand half a dozen, which he believed offered a tolerable illustration of the general description. The first was a Bill for making a Cheltenham and Oxford Railway, giving power to the Great Western Company to raise 1,000,000*l.* of capital, and 330,000*l.* loan for that object. It enabled the company to subscribe to the undertaking an amount not exceeding the whole amount of the capital authorized to be raised, by the creation of new shares, or guaranteeing interest at the rate of 5 per cent, and undertaking the responsibility of the work. Now, it was very advisable that an inquiry should be made with respect to these provisions; if the Great Western Company were to be undertakers, and there were to be no new subscribers, it was advisable that an inquiry should take place as to the means at the disposal of the Great Western Company, beyond the means required for the accomplishment of their present objects. The next Bill was the Dundee and Newtyle Railway Bill. This Bill authorized the parties to raise a certain additional capital, in addition to the sum authorized to be borrowed by the former Acts, or any further sum which they may be authorized to borrow by any other Act to be passed in this Session. These two Bills might get before different Committees, one not knowing what the other was about, with reference to the extent of money to be raised on the whole by these undertakings. He took next—and he only mentioned this and other Bills as an illustration of his whole case—the Eastern Union Bill. The capital of the company was to be 1,866,000*l.* of which a certain proportion was to be distributed among the shareholders of the Eastern Counties Railway. He held also in his hand a paper circulated by persons opposing a Bill now on the Table, but which, notwithstanding, appeared on the face of it to be a very accurate statement of what the Bill purported to be, and which proved the necessity of previous inquiry. It referred to the Sheffield, Rotherham, and Doncaster Railway. The parties opposing this Bill stated that upon examination of the subscription contract, it appeared that three solicitors, two engineers, and twelve directors of the company promoting this Bill, subscribed 192,000*l.* to the capital, and the public subscribed 30,000*l.* This Bill proceeded to give to the promoters a power to sell the proposed railroad to five different companies, or to any other company or companies, person or persons, who might be willing to purchase. It was evident that a Bill of this kind should be referred to some previous examination before it was sent to a Committee of that House, otherwise they might subject parties who wished to oppose it to enormous expense for no purpose. He would not fatigue the House with more illustrations of the case he wished to lay before it. It appeared to him that it would be most desirable that a previous examination and report by the Railroad Commissioners should take place, first of all, with respect to the Amalgamation Bills. He saw in those Bills, again, many and different principles laid down, and the same thing with respect to leasing. There were some leases on which old companies guaranteed a stated amount of interest to new companies; there were others on which they were made upon a division of profits. He did not intend to offer any comment of his own on any of these principles or details. In many, power was taken to pay interest to the adventurers on capital, previous to the railroad producing any return; in some Bills there was no such provision; in others there was a provision that they should be paid four per cent, in others that they should be paid five per cent. He was no friend to imposing more restrictions than was politic on any of those undertakings; but surely the House should endeavour to arrive at some uniform principle on that subject. With respect to fictitious additions to capital, his attention was first drawn to the subject by being ordered last year to sit on a Committee on a monstrous case of that description. So far from thinking that he, or the Committee, was competent to go into the grounds on which that proposal was made, they thought it much better to report the facts, and leave them to the decision of the House. The House took no notice of the report, and the Bill passed; and it was for the purpose of preventing such Bills from passing easily, that he had ventured to submit this resolution, requiring a previous examination and report by the Railroad Commissioners. Ought interest to be paid on fictitious capital by the public, taxed already to pay 10 per cent profit on the money actually invested in the construction of railroads? One company borrowed loans on mortgage, another on debentures. The terms of doing that, he was aware, were, in certain cases, prescribed by the Clauses Consolidation Act; but there were propositions at variance with them. One company created perpetual annuities, another capitalised its debt. In those cases, the public should be aware whether, when one company raised ten millions, and borrowed five millions, the guarantee of ten per cent on the ten millions, should also extend to the five millions. It was well that these things should be understood. In the case of the North Western Company, there were various Bills on the Table, under which the directors proposed to pledge their old capital for the purpose of carrying out branches and extensions. It was very desirable that some inquiry should be made how far such a proceeding on the part of the directors might be in accordance with the Standing Orders of the House. He had turned his attention, as he had already said, to the subject, in consequence of having been appointed chairman of a Committee last year. He had avoided expressing any opinion on the various points he had adverted to; but he believed that he spoke the opinion of a great number of Members when he said, that definite principles and a well-considered system should be laid down, under which Committees could perform their duties much more to their own satisfaction, and, he was sure, much more for the public benefit, as well as for the interest of railroad companies themselves. He did not know whether it was absolutely necessary that the same principle should prevail in all cases; but if they wished their proceedings to be beneficial to the public, and at the same time creditable to the House, it would be desirable that they should be guided by some authority having access to information which might enable them to form right decisions, and whose opinions could be maintained before the Committee. He could assure Gentlemen connected with railroads—for himself he had no interest in them—that he took up this subject rather with a view to their benefit, than from the least desire to check this meritorious exertion of enterprise. He was as desirous as they could be to see the success of these undertakings; but he was quite sure it was for their own interest that the undertakings should proceed on grounds not open to suspicion; and even if delay should take place, it would be amply compensated for by their proceeding on settled and satisfactory principles; and he should be very much surprised, in the event of the House adopting the resolution he proposed, if they did not feel an obligation to him for having brought it forward. He thought it of the greatest importance that another subject should be taken up by the Commissioners of Railways. Cases had come before Committees in which that much-contested question of the gauge had to be decided. That on which he sat supported him in declining to hear evidence as to the superiority of one gauge over the other. They thought themselves perfectly incompetent to decide the question, and it was referred to the Board of Trade for its opinion. That opinion was, that it was better not to change one gauge into the other, but that both could be used on the same line. The Committee unanimously came to the resolution, that they did not think that consistent with the public safety. A Bill had, indeed, been passed, which was intended to settle this affair of the gauges; but which, as he was informed by parties very conversant with the subject out of doors, would put it in some respects as much at sea as ever. Questions would arise before the Committees connected with the gauges, and he believed they would have again brought before them that Session the question of the two gauges on the same line. If three or four Committees were formed, the probability was, that one half would be for one plan, and the other half for the other. It would be very desirable if, before this question of the gauges were referred to the Committees, the Railroad Commissioners, after examining the whole question, should report their opinion. He only stated this with the view to save enormous expense. He might mention the fact, that the proceedings before one of the Committees of last Session cost one of the parties before the House 150,000*l.* That party carried their Bill through that House, and probably the other side spent almost the same money. The Bill went up to the House of Lords, where it was thrown out. These facts were scandalous to the reputation of that House; and imputations of every description were cast by the public on the Committees both of that House and the other House of Parliament. It was absolutely necessary they should shelter the reputation of that House from such imputations. He had not included this subject in the resolution he intended to propose; but he hoped his right hon. Friend the Commissioner of Railroads would see the necessity of undertaking this duty, or that the House would impose it on the board, and that at all events they would have these matters either recommended to the House, or decided upon by authorities responsible for their decision to the public. The right hon. Gentleman concluded by moving the first of the following resolutions:—

> "1. That all Railway Bills in the present Session be referred to the Railway Commissioners, for their Report to this House upon the following points, previously to such Bills being considered in Committees of this House:—
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> "2. That every Report so to be made upon each Bill shall state the amount of the capital proposed to be raised, and of the loans proposed to be authorized by the Bill; and if, under the provisions of such Bill, any powers are to be given to any Company already incorporated of raising further capital or loans, or of making alterations, branches, or extensions of their existing Lines, or of purchasing or leasing any other Lines made or to be made, or of subscribing to the capital, or guaranteeing the capital of, or amalgamating with, other Companies; such Report shall also state the powers granted by any former Act or Acts to such Companies already incorporated for any of the above purposes, and of the manner in which, and extent to which, such powers have been exercised; and the Report shall further state the opinion of the Commissioners thereon, and also their opinion as to any special provisions with which it may in any case be expedient to accompany the grant of any powers for any of the abovementioned purposes.
>
> "3. That every such Report be referred to the Committee of this House appointed to consider the Bill to which the same may relate."

MR. HUDSON was not about to take the least objection to the proposition made by the right hon. Gentleman, nor was he about to go into all the details on which the right hon. Gentleman had entered; but he would make one or two observations with respect to the statement he had made; and first, as to the capital proposed to be raised for this year by Acts before the House. He believed that in the last Session of Parliament, the amount proposed to be raised under Bills introduced into the House, was something like 350,000,000*l.* He then stated to the House that the amount which would be ultimately granted or passed by Parliament, would not exceed 100,000,000*l.* In that he was perfectly right, for the total amount which received the sanction of Parliament, was something like 90,000,000*l.* He believed that in the present year, a very large amount would probably not receive the sanction of Parliament; and the time given for the execution of the works would, he thought, not cause inconvenience to the public in providing it. The right hon. Gentleman had referred to one or two companies over which he (Mr. Hudson) had the honour to preside; and had stated that he was unable, from the accounts, to make out what was the amount of their capital or engagements. If he (Mr. Hudson) had been aware that the right hon. Gentleman was going to bring the matter before the House, he would have been prepared to afford full explanations; but he thought he could, off-hand, give information which would be a guide to the House with respect to the real amount of the engagements of those companies. The right hon. Gentleman put the engagements of the Midland Company at something like 30,000,000*l.* He was quite sure the right hon. Gentleman would not mis-state anything, and he was most ready to acknowledge the kindness and candour with which the right hon. Gentleman had brought the subject forward; but he was in error in placing the engagements of the Midland Company at the sum stated. The original engagements of that company in paid-up capital, amounted to 5,000,000*l.*; they had afterwards obtained Acts of Parliament in 1845 for the execution of lines, the cost of which would amount to nearly 2,000,000*l.* They had created shares for the execution of some of those lines; some of them were already executed, and others were in progress. This made the amount of the shares 7,000,000*l.*; and last year they obtained the sanction of Parliament to projects involving an amount of something more than 2,000,000*l.* This amount was to be raised by shares, and it increased the capital 2,000,000*l.* A further provision for the creation of stock by loan, amounting to about 1,700,000*l.*, made the total capital somewhere about 10,500,000*l.* As near as he could recollect, this was a correct statement of the capital of the Midland Company. There were several other lines in which the Midland Company was concerned—the Bristol and Gloucester, with a capital of 2,000,000*l.*; and the Leeds and Bradford, with a capital of 1,000,000*l.* But the Midland Company were not bound to find capital for these two companies, only to pay dividends to them. The Midland Company had no power, at least in the case of one of these companies, to raise the capital for the construction of the line. So far, therefore, from the amount being 30,000,000*l.*, the Midland Company's capital was not more than 12,000,000*l.* or 14,000,000*l.* at the most. [Mr. ELLICE: Is that distinct from the Great Northern?] He could assure the right hon. Gentleman that they were perfectly independent and distinct companies in every respect. With respect to the mode of raising capital, that was done sometimes by creating shares, sometimes by borrowing money on guaranteed stock; the only object of the companies was to get the means of executing their works. When the money market assisted their object, they adopted one plan; when it did not, they adopted the other. He did not see any evil from using guaranteed stock. It was not advisable to debar parties who liked to embark in speculative undertakings, and he did not see why the public should not have the liberty of carrying out their projects in that way as well as in another. It was no doubt true that companies had guaranteed over and over again unfortunate investments of capital, just as Government had raised money at large discounts, because they had been obliged to do so. The right hon. Gentleman stated that he wished to introduce some fixed principle for the regulation of these undertakings; but he doubted whether the Railway Commissioners, or Parliament itself, could effect this. As to the means of raising capital, it must be left to the discretion of the company how to obtain it. He recollected that in an early stage of these undertakings, one of the companies with which he was, though only recently connected, had had the utmost difficulty in procuring money. The directors constantly and repeatedly put themselves to the greatest inconvenience to attain this object; and had they not done so, many of those works, from which the public were now deriving benefit and enjoyment, would have been stopped or suspended. When the late Government, by the then Vice President of the Board of Trade (Mr. Gladstone), introduced their former Railway Bill—which he had hoped was a settlement of a great question, but he was disappointed, and so were many hon. Gentlemen, for there was scarcely an hon. Gentleman in that House who did not think he had some plan from which he could benefit the public by interfering with railways in some manner or other—the question of loans to the companies was most ably and fairly discussed and considered in all its bearings; and the conclusion come to was that they ought to be limited to the means Parliament had given them to raise the money. There was scarcely a company which had not provided for the liquidation of its debts. He had taken an early opportunity, after the last Session, seeing that the prospects of the money market were not so good as they had been, of revising the whole of his debt connected with almost every company in which he was engaged; and shares had been issued, and the capital raised, to provide for the liquidation of those debts. He (Mr. Hudson) would not have the right hon. Gentleman alarm himself about the means of meeting those engagements. From a large experience, and from the calls he had been obliged to make on a large constituency, he found that the calls were never so well paid, or so punctually, as at present, since he had had any acquaintance with railway matters. He had had occasion to call for something like 3,000,000*l.* within the last two or three months, and he had never known the calls so punctually paid as they had been up to the last week. It was a serious responsibility on that House to see that the proposed lines were not merely speculative, that the public were protected, and that the shareholders had a sufficient remuneration for their capital: he hoped Government, having done this, would not interfere further, for the less Government interfered in railway matters, the better it would be for the public, for the House, and for the undertakings. The right hon. Gentleman objected to the guarantee fund; but he contended it was impossible to dispense with this power. In 1841 it was difficult, if not impossible, to borrow money: persons could not be induced to take shares in a railway, even though 6 per cent were offered to them from the date when they paid their money. He could speak to that fact, for he had to travel, as it were, from door to door to get parties to advance their money to go on with the railways. At that time 6 per cent was no inducement to capitalists, even though five or six principal companies were ready to guarantee the repayment. He merely stated the facts, for the purpose of showing the House the position in which those undertakings had been, and the difficulties they had had to contend with. If they were to be carried out, proper inducements must be held out to the capitalists of this country to embark their money in them; and he knew from experience that a great many parties were embarking money in them from a belief that they would be secure and profitable undertakings, thereby inducing money from foreign countries to come and assist in the execution of great works in this country. But if they discouraged the moneyed interest, they might rely on it that France was quite ready to find employment for it, and would guarantee any amount of capital from this country. He would therefore warn the House to be careful how they interfered with the private enterprise of this great country. Such interference would end in a way disastrous to the Government, injurious to the public, and destructive to the interests of the shareholders.

Mr. ELLICE assured the hon. Gentleman, that he did not intend to express any opinion on guarantees, or to place any restrictions on capital. His only object was, that the various propositions now before the House, based as they were on conflicting principles, should receive a good previous examination from some responsible board before they went to Committees of that House, in each of which there might be a different opinion.

Sir R. H. INGLIS had fully understood, before the explanation of his right hon. Friend, that the question now before the House was not one of the solvency or insolvency of this or that company; but the great principle whether that House would or would not delegate part of its jurisdiction to a tribunal independent of itself. He apprehended that the resolution now before them proposed to attain in another form such a department as they had two years before in the Railway Department of the Board of Trade. It came to the same thing, though the individuals forming the Commission at present consisted of persons one of whom had a seat in that House, and who possessed means of giving effect to their recommendations. Practically, the House would receive from that board much such a report as they had two years ago from the Railway Department of the Board of Trade, containing certain statistics as to the amount of capital and other qualifications of the particular measure. He felt it his duty to take this opportunity of bearing his willing testimony to the merits of the Railway Department of the Board of Trade, which, he thought, were very much underrated. He saw no objection to the proposition; and his object in rising had been chiefly to bear his testimony to those who in a former Session had been unfairly undervalued.

Lord J. RUSSELL could see no obstacle to the House adopting the proposition brought forward by the right hon. Gentleman. It might be found very useful if such a report as the right hon. Gentleman referred to were made to the Committees sitting on Railway Bills. As his right hon. Friend had stated, it was not proposed that any comparisons should be instituted between competing lines, but that a report should be made with regard to the general principle of borrowing money by way of loans, and that information on these and other matters should be brought under the attention of Committees by the Commissioners, so that the latter might be able to point out what they thought should be the general rule observed by the Committees in the discharge of their duties. He trusted that the adoption of the course now proposed, would not lead to the delay of any of those measures which were at present before the House. He thought it was of importance that Railway Bills should have full consideration before coming before the Committees of the House, and, as he did not see that any inconvenience would result from it, he agreed to the proposition of the right hon. Gentleman.

Resolutions agreed to, as were the two others.

TOBAGO.

Mr. HUME, pursuant to notice, inquired whether any and what measures had been adopted to put an end to the dispute between the House of Assembly and the Judge of the Island of Tobago, by which all public business in that island had been interrupted for a year?

Mr. HAWES replied, that the Governor of the Leeward Islands had visited Tobago, and he was happy to assure the hon. Member that there was every probability of reconciling the parties and establishing a better understanding between them.

DRAINAGE.

Mr. H. J. BAILLIE said, the House was aware that, under the Drainage Act, large sums of money had been applied for by proprietors of land in Scotland; but it had been recently stated, in a letter written by Mr. Blamire, the secretary to the commission for carrying out that Act, that it was meant to include, not only draining, but fencing, trenching, and the general clearing of waste lands. Now, he wished to know, whether it was the intention of Her Majesty's Ministers to introduce a new Bill for effecting that object, and if so, when that Bill was likely to be laid on the Table of the House?

Sir G. GREY said, the draught of a Bill had been prepared for amending the Drainage Act of last Session, and to extend the objects for which that Act was passed to other purposes than mere draining. In a day or two the Bill would be laid before the House.

Mr. HUME wished to know whether there was any objection on the part of the Government to bring in a Bill to enable persons having land entailed to sell a portion to raise money for improvement, instead of burdening the country in this way.

Sir GEORGE GREY had not stated that in the amended Bill which he proposed to lay on the Table, there would be any authority to advance an additional sum of money, but merely that it would authorize the application of the 2,000,000*l.* granted last year to other purposes besides draining. The whole subject was under the consideration of the Lord Advocate, and the Bill would be laid on the Table in a short time.

THE NEW BISHOPS.

Mr. J. COLLETT regretted that no information had yet been furnished respecting the new Bishop of Manchester, and wished to know the intention of the Government regarding the appointment of that or any other bishop.

Lord J. RUSSELL said, he had thought that the best way of giving the information to which the hon. Member referred, would be to lay on the Table the report of the Commission issued by Her Majesty, and he had done so some time ago. He believed it was printed, but was not sure whether it was yet in the hands of Members. The hon. Member would see by that document that it was proposed to retain the bishoprics of St. Asaph and Bangor as they were, and to found a bishopric of Manchester. It was likewise proposed to found three additional bishoprics. The report also contained information as to the manner in which the episcopal revenues were to be applied to the purposes of these foundations. It was not intended by Her Majesty to summon the new bishops to sit in Parliament; but it was intended that the prelates holding those sees should take their seats in rotation as other dioceses became vacant, so that the number of bishops in the House of Lords would remain unchanged.

Mr. ROEBUCK wished to know if the whole of this arrangement could be carried out without an Act of Parliament.

Lord J. RUSSELL replied, that it would be impossible to carry any part of it into effect without an Act of Parliament. For the sake of arriving at a decision with respect to the bishopric of Manchester, he should probably ask leave to introduce a Bill on that subject alone; but he did not wish yet to give a positive answer on that point.

REGISTRATION OF VOTERS.

Mr. T. S. DUNCOMBE then rose to move for leave to introduce a Bill for repealing the ratepaying clauses of the Reform Bill. He understood Government had no objection to his introducing this Bill, but that some hon. Gentlemen opposite had an objection to it. Now, he did not wish to urge either Government or the Gentlemen opposite to give him permission to introduce the Bill, if it was done only with the view of more effectually strangling it on a future day. If the Bill was admitted by them to be good in principle, then he would at once, without discussion, ask the leave of the House to introduce it. The object of the measure was to repeal those portions of the Reform Act which made payment of rates and taxes necessary for a qualification to vote. That was the simple principle of the Bill; and if it was admitted to be a good one, he would at once move for leave to bring it in; but, if not, he was prepared to go on with the discussion.

Lord J. RUSSELL said, if his hon. Friend thought fit to introduce his Bill, in order that the House might know what its clauses and provisions were, he had no objection to that course, and should not oppose his hon. Friend laying the Bill upon the Table. But, if the Bill was, as his hon. Friend stated, merely to repeal the provisions of the Reform Act as to the payment of rates and taxes, without substituting any other provision for that purpose, he would state at once that to the principle of such a Bill he was opposed. If, therefore, his hon. Friend thought it more convenient to discuss the Bill now, he (Lord John Russell) did not object to that course, and was prepared to discuss it.

SIR DE LACY EVANS recommended his hon. Friend to abide by the suggestion of the noble Lord, and adopt the usual course, of introducing the Bill, and taking the discussion upon the second reading.

MR. T. DUNCOMBE said, he was aware that the noble Lord had, on a former occasion, opposed the principle of this Bill; and if they were to have a discussion upon it, he thought it was best to fight it out at once. He would, therefore, proceed to state his reasons for asking leave to introduce a Bill to remove one of the greatest grievances of the Reform Act, and which was generally complained of by electors. The chief objections to this part of the Reform Act were these: first, that it was unconstitutional in principle; and, secondly, that it was most vexatious in its operation, and opened a door to all sorts of bribery and favouritism on the part of the parochial officers. As to its being unconstitutional in principle, he had the noble Lord's own words, in introducing the Reform Bill, when he said that "the constitution of this country declared that no man should be taxed for the support of the State, who had not consented by himself, or by his representative, to the imposition of such taxes." But the part of the Reform Act which he (Mr. Duncombe) proposed to repeal, completely reversed that principle, for it declared not only that a man shall be taxed, but that he should pay the tax by a certain day, before he could claim a right to exercise the power —in the absence of which, according to the position laid down by the noble Lord, no tax should be imposed. The Reform Bill, then, had not answered the expectations of those who introduced it, according to the declaration of the noble Lord at the time he introduced the measure, who stated that the class to whom he expected it would give the franchise, would amount to nearly 500,000 persons, namely, the English counties, 100,000; Scotland, 60,000; Ireland, 40,000; towns already represented, 50,000; and the metropolis, 95,000; and that it would add that number to the persons then exercising the right of sending Members to that House. What had been the result? In the metropolitan boroughs, the noble Lord stated the number of new voters would be 95,000. If, however, he looked to the state of the registers in those boroughs, he found this expectation by no means realized. In Marylebone, there were 32,240 houses rated above 10*l*., whilst on the register there were only 11,625 persons entitled to vote in 1846, out of which a great number were duplicates. In Finsbury, there were 32,580 houses, and only 12,974 electors; in the Tower Hamlets, 64,896 houses, and 13,551 electors; in Lambeth, 17,379 houses, and the number of electors 6,547; in Greenwich, the number of houses was 11,536, and of electors 3,610—and in Greenwich almost all the houses were above 10*l*., the tenants of which were entitled to vote; so that the metropolitan boroughs added very little more than 45,000 voters, and the duplicates were one-fifth of the whole number. So that, fifteen years after the passing of the Reform Bill, the constituency had not increased; in fact it had diminished in Westminster, the city of London, and Southwark. In Westminster, there were 23,295 houses, and only 13,866 voters on the register. At this moment Westminster was in a much worse situation than before the Reform Bill, for the first time Sir Francis Burdett was returned for Westminster, in 1807, 18,000 electors voted. In Southwark it was the same: there were 16,213 houses, and 5,047 voters on the register. In Liverpool, there were 42,924 houses, and only 14,970 electors on the register. In Manchester, 42,059 houses, and 12,150 voters; in Birmingham 36,121 houses, and only 4,619 names upon the register. In the city of London, the constituency had greatly diminished since the Reform Bill; and he believed that this diminution had been owing entirely to the operation of the clauses in the Reform Bill called the rate-paying clauses. Looking to one of the statements of the Conservative Registration Association, he found it asserted there that 7,000 electors of the city of London had been deprived of their franchise, owing to the omission of tenants' names from the rates. He understood that in the city of London fourteen parishes had refused to put any man upon the register unless he claimed to be rated; and he must also claim to be put upon the register. There was another great reason for the repeal of this clause given by the Court of Common Pleas last year. It was well known that in a great number of boroughs, landlords frequently compounded for rates; it was a great object to parishes to get the landlords to compound, and, according to the Court of Common Pleas, it would not do to make a single claim to be rated; but that

Court decided in the Stockport case, that where there were eight rates in one year, the voter must make eight separate claims in the year to keep his vote upon the register: so that, in the words of Lord Chief Justice Tindal, "it is like keeping up a right by continual claim." That was found to be vexatious and harassing, and had produced results which could not have been contemplated by the original framers of the measure. It was only citizens and the inhabitants of boroughs who were obliged to have their taxes paid against a certain day, and whose votes depended on their punctuality; and he could not understand upon what principle of fair play it could be maintained that citizens and residents in boroughs should be subjected to a restriction which was not applicable to country voters. Besides, under the present system too much power was vested in the hands of the parochial officers, who by their neglect or remissness could vitiate any man's right they pleased. In the borough of Marylebone, no less than 1,200 electors had been disfranchised in consequence of there being no collector to receive the rates from them. The former collector died, and as no one was appointed to fill his place until within seven days of the expiration of the period within which the rates were to be paid, there was not time to receive them all. But for the injured parties there was neither remedy nor redress. Last year a curious case occurred in the borough of Lambeth. There was some squabble between the poor-law collector and the overseer, and it so happened that a week before the 20th of July the collector was dismissed. When an elector applied to him, he referred him to his successor; but as the successor had not the books at his command, he sent the applicant on to the vestry clerk, who in his turn referred him to the overseer, who for a time received the rates. But observe to what interminable annoyance and vexation the unfortunate elector was exposed in running from one official to another. At a meeting at St. Mary's, Islington, in July, 1845, the vestry clerk stated that there were no less than 2,000 houses the rates of which had been compounded for. This composition system he did not all approve of, though it was easy to see why it found such favour in the eyes of the parochial officers, who were spared a vast deal of trouble and annoyance by it, inasmuch as the payment of the poor rates conferred a title of settlement. He did not hesitate to assert that, on the whole, the present system was in many respects highly objectionable, and in no respect more objectionable than in this, that it encouraged all kinds of favouritism and bribery. If the collector and overseer were inclined to a particular party, they had it in their power to grant facilities and show marked partiality to members of that party; whereas, on the other hand, they could throw great obstructions in the way of persons of the opposite party, whom they could disfranchise at will by not applying to him for his rates until it was too late to pay them in such a manner as that the payment would secure their being registered. He had heard of many cases of that kind. It was occasionally the practice of collectors, before the 20th of July arrived, to tear out of their books the receipt of any man who was their friend, and to keep it by them until the time of making objections had passed by. When this period had gone over, the collector stuck or pinned it into the book again, and when the time of the election came, the defaulter was told that he had no option but to vote for such or such a candidate who had paid his rate for him. If he remonstrated or showed any unwillingness to comply, he was reminded the receipt was not in his own possession, but in that of the collector, and that if he were to persist in his obstinacy, a distress on his property would be the result. Surely these were gross and scandalous abuses, such as could never have been contemplated by the original passers of the Reform Act. Indeed the particular abuse to which he had last referred, had grown to such extent, that in Cambridge, Bristol, and other places there were associations for the express purpose of paying the rates of electors. He was for abolishing this state of things, and putting the borough and city constituents on the same footing with the county voters. This was no new demand now made for the first time by him (Mr. Duncombe). The mal-practices, grievances, and abuses which he had detailed that evening in full, had been a subject of continual complaint for a length of time—in fact from the passing of the Reform Act to the present day. He would read for the edification of the House, and more especially for that of the noble Lord at the head of the Government, the opinions expressed upon this subject in the year 1834 by *The Times* newspaper. In an article in that journal, on the 16th October, 1834, there occurred the following passages, commenting on some paragraphs which appeared in the *Leeds Times* :—

"The subjoined statement from the *Leeds Times* is curious, and stimulates curiosity the more for being so meagre and imperfect :—' In the township of Leeds the names of 418, and in the out-townships the names of 93 Whig voters, have been struck off the list, forming a total of 511 votes lost to this party. In the township of Leeds, the names of 219, and in the out-townships the names of 49 Tory voters, have been struck off the list, forming a total of 268 lost to this party. Here then, the Tories have gained an advantage over the Whigs tantamount to 243 votes But this is not all. In the whole borough, 45 new Whig claims have been allowed, and 76 Tory claims, giving the latter an advantage of 31 votes. The whole advantage of the Tories, therefore, amounts to no less than 274 votes. The *Leeds Times* concludes its enumeration by adverting to this memorable fact —that the Whigs and Tories, in their mutual squabbling, have succeeded in disfranchising no less than 822 inhabitants of Leeds! Now, the unsatisfactory meagreness whereof we complain in the above five or six short paragraphs from our Leeds namesake, consists in the absence of every fact from which might be inferred the causes of rejection, as influencing the revising barristers in their treatment of the several claimants, whether Whig or Tory. It appears indisputably, if the account be correct, that on the new registration of voters for the township of and out-township of Leeds, a much larger number of Whig votes have been struck out of the list than of Tories ; also, that as respects new votes, a smaller number of Whigs have been admitted than of Tories, making a total difference in favour of the Tories of 274. One of our contemporaries alleges it broadly as a charge against the working of the Reform Bill, that so vast a body of constituents should under its operation have been deprived of their votes ; and so far we are disposed to agree with him, but not when he extends his grievance to the fact that the revising barristers' court has in the present instance disfranchised a greater proportion of Whigs than of their adversaries. The law of registration being the same for both parties, it is plain the surplus of rejection falling upon one of them must have been produced by something extrinsic to the law, and arising out of the different conduct or circumstances of the individuals ; that nothing can be more obvious, without going into details, than the mischievous structure of the law itself, in the gross amount of the disfranchisement which it has effected, exceeding 800 inhabitants of a single borough in a single year ; and that without the slightest criminality or fault on their part, as regards the exercise of their franchise ; but the truth is, that a very disputable policy has been exhibited in the framing of that portion of the Reform Bill which specifies the limitations to the enjoyment of the elective franchise. It does not seem to us that any natural connexion exists between a man's right of voting and his punctuality in paying the King's or parochial taxes. Are there no means of enforcing the demands of the tax-collector, but by making the deprivation of a high political trust the consequence of any delay, however short or unavoidable, in discharging them ? If no such thing as a distress-warrant were known to the law of England, or if the honest pride of voting were a more powerful agent in the recovery of a debt for Crown or parish, than the dread of seeing one's furniture sold by auction ; something might be said for this harsh innovation upon the usages of a free people. The question is not whether the tax shall be paid or left unpaid ; it is merely a question of punctuality, whether the tax shall be paid a few weeks sooner or later, for its ultimate recovery is well enough secured already, and better by the old and acknowledged law, than by this newfangled political process. We ask, would it be no misfortune to the State, if, through the crabbed and obstrusive intermixture of fiscal obligations with political functions, half the kingdom—as there is no difficulty in supposing—were to be disfranchised on the same day, and that day six months a dissolution of Parliament were to be desirable ? It is clear, and we do not deny, that some test may be necessary to prove the continued possession of a certain class of qualifications ; but we are sure that proof of having paid a man's taxes, when by a hundred tricks of the tax-collectors, the payment might be most innocently and unavoidably (on his part) delayed, is most harsh, most ill-judged, and unconstitutional. Why was such a thing never thought of before in England ?"

That extract was in itself a much better speech than he could deliver. It came from a paper which was the present organ of the Government, and he hoped that Ministers would attentively learn and inwardly digest it. If they did so, they might rest confidently assured that that paper would bear them out and carry them triumphantly through any struggle and difficulty which might ensue in the passing of the Bill, which he hoped to have the honour of introducing. It was quite time that abuses which could never have been contemplated by the framers of the Reform Act, and which disfigured and dishonoured that measure, should be now abolished, and that electors of counties and those of boroughs should be placed upon the same footing. Why should not the former be compelled to pay the county rates against a certain day, if the poor rates and assessed taxes were to be paid against a certain day by the latter class of voters ? He hoped he had said enough to induce the noble Lord at the head of the Government, not only to give permission for the introduction of this Bill, but also to afford some hope that it would obtain the support of the Government. If they would do so, he should look with confidence to the ultimate success of the measure. It was in the power of the noble Lord to get the Bill passed if he pleased. It was only for him to threaten to resign. Recent events had shown that any measure could be passed just at the present moment. He knew that many of the present Ministers had already, when differently situated, voted for this measure of his. Some of those who were now Members of the Government opposed the noble Lord for opposing this measure on a bygone occasion; and he hoped that, now they were in office, they would be consistent with themselves, and give him their continued support through the different stages of the Bill. At all events, where could be the difficulty of leaving it an open question? It was merely a question of Parliamentary reform more or less, of extension of the franchise more or less. It was, in fact, a matter not of principle but of degree; and if Government were not prepared to actively support it, they might at least leave it an open question, until it could be seen in what direction public opinion bore. The hon. Member concluded by moving—

"That leave be given to bring in a Bill to repeal so much of an Act passed in the Reign of William IV., entitled 'An Act to Amend the Representation of the People in England and Wales,' as makes the right to Registration in Cities and Boroughs conditional on the payment of Poor's Rates and Assessed Taxes."

LORD JOHN RUSSELL: Sir, I stated to my hon. Friend the Member for Finsbury, at the commencement, that if he was desirous of laying this Bill upon the Table of the House without entering into a discussion upon its merits at the present moment, I should not be adverse to such a course; but that I could not promise him my support in the future stages of the Bill. My hon. Friend, however, thought it better to have the discussion on the subject immediately, unless I could promise him the support of the Government on the second reading; and in the absence of any such engagement on my part, he has now stated the purport of the Bill, and the reasons on which he grounds his introduction of this Motion. In meeting my hon. Friend, I must be permitted to state what he does not appear to have at all clearly apprehended, namely, the ancient law and constitution of boroughs in this country. The hon. Member has read paragraphs, stating that it was entirely a new principle that was introduced by the Reform Act, and that before the passing of that measure nobody ever thought that the payment of rates was a necessary preliminary to the acquisition or exercise of a vote. He is entirely mistaken upon that subject. The ancient right of voting in counties was the possession of certain property, and anybody having it to the amount of 40*s*. a year, on proving that he possessed it as freehold, was considered as a person of sufficient property to afford a guarantee to the State that he was a man fit to be entrusted with the privilege of the franchise. In that respect the State took the security it thought necessary. So, too, in regard to boroughs where there was a common-law right of voting—that is to say, in boroughs where there were no particular charters to restrict and regulate the right—the right was vested in householders, but with this qualification, that they were to be householders paying scot and lot. The meaning of that was, that they were persons liable to pay and paying the poor rate. So it has been interpreted by the courts of justice. Therefore, as with regard to county voters, there was a security of their being possessed of property, so too, with regard to boroughs, was there a security not only that they should inhabit a house as regular occupiers, not as chance lodgers, or occasional residents, but that they were persons who, by their payments of rates, were certified and assured to the State to be persons fit, according to the opinion of those who framed the laws of this country, te be entrusted with the exercise of a vote. Therefore the principle was not one introduced and acknowledged for the first time under the Reform Act. Whatever the Reform Act may have done to modify or change the ancient constitution of the country, the principle that occupiers should pay some of the rates, in order to qualify them for the exercise of votes, was the old principle transferred from the ancient constitution of this country into the provisions of the Reform Act. The Reform Act extended very much the right of voting in this country. The hon. Gentleman maintains that it did not extend it as much as I had anticipated. My calculation at the time was, of course, formed on a crude and vague estimate; and I could not expect that that estimate would be borne out with critical accuracy in its details. But my hon. Friend has himself satisfactorily proved, that there has been a very great extension of the franchise through the operation of the Reform Act. For example, the borough of Lambeth formerly returned no Members to Parliament—the borough of Marylebone formerly returned no Members to Parliament—neither did the borough of Finsbury nor the Tower Hamlets; and with regard to those different places thus admitted for the first time to the right of having representatives, my hon. Friend himself calculates, that in those newly constituted metropolitan boroughs, there are no less than 45,000 persons enjoying the right of voting for Members of Parliament. Surely that is in itself no inconsiderable extension of the elective franchise. But there was also an extension of the franchise to a great many towns which never before enjoyed the right of sending Members to Parliament; as, for instance, Manchester, Leeds, and Birmingham, where the right of voting was given to 10*l.* householders; and Bath, where hitherto the exercise of the right was limited to some twenty, twenty-three, or twenty-five persons. To all those places we gave the right of sending Members to Parliament. We did not make it a household franchise, in the strict scot and lot sense, but we proposed that the House should be of the value of 10*l.* a year; and the test was similar to the old test of scot and lot, for we proposed that the payment of taxes should be ascertained, and that the assessed taxes and the poor rate should be payable by the man seeking to be qualified to vote. I own that, in my opinion, that was a wise and constitutional provision. It was in strict conformity with the ancient law of this country for entrusting the right to vote to persons holding a certain amount of property. It was wise, I think, to ascertain that the persons to whom you grant the franchise, are men of a certain amount of property; not but that there may be persons with no property whatever who would make as good a choice, but because, in my belief, when you do grant the privilege to men possessing a certain amount of property, there is a likelihood that you will have a better election generally, than you would have if you were to make the suffrage universal. Now I do think if you lay down the qualification that there must be this certain amount of property, you must test it in some manner or other, and give some practical proof that those pretending to the use of the franchise do really possess property, and do not simply inhabit a house, but that they are men in the regular payment of the rate which is due by them for the usual and regularly assessed taxes of the State, and of the poor rates which go to maintain the poor of the borough. It seems that there is now mixed up with those payments a certain amount of county rates, such as the maintenance of gaols, and other expenses of a similar kind. The principle, however, is the old constitutional one of the country. I own I think that if you take away all obligation to pay rates and taxes, and say that the mere occupation of a house of 10*l.* yearly value is to qualify a man to vote, it would be difficult to resist the argument urged by many, that such mere occupation would not be sufficient test for eligibility to vote, but that the right should be extended very much farther, for that there is no virtue in brick and mortar to distinguish between regular fixed residents and mere casual lodgers. But when, in addition to this, you require that there shall be practical proof that they are solvent men and regular in the payment of their rates, you have the security of the State that they are men of credit and substance, having a stake in the country and an interest in the maintenance of the law and the constitution. The hon. Member asserts that there have been many omissions of persons who ought to have been qualified; and he has stated, what I am surprised he should state as favourable to his argument, namely, that after persons have paid the rates and taxes for others at the time of their registration, they have not been able to secure the votes of such persons at the ensuing election. In that respect I am decidedly of opinion that a very great improvement has been introduced on the old constitution of the scot and lot boroughs; because, as we said at the time, if you require in the scot and lot boroughs that no man should vote unless he pays his rate, this will happen, as it frequently has happened, that a few days before the elections, some two or three hundred voters will go to one candidate or other, and say, "We are ready to vote for you, but our rates must be paid." The principle was an excellent one; but it carried that taint along with it, that it had the tendency of giving rise to bribery, and the tendering of votes to whichever party would be the first to pay the rates. We said, "Alter that, and have a registration to take place at a fixed time of the year, and not at the time of the election, and there will not then be this sin of bribery, for the candidate will not find it his interest to buy the voters at that time. There may not be an election that year; or if the election should take place in December or January, the candidate will have no reason to be quite sure that the man whose rates were paid for him in July, may be disposed to carry his gratitude through so long a period as the whole six months." The hon. Member proves the truth of our anticipations, and tells us that complaints are continually made that persons whose rates have been paid in July by one party, cross over and vote for the opposite party when the election comes on. Why, Sir, that is the very consequence we expected; but I hope that it will serve as a lesson to hon. Gentlemen never to be guilty of attempting that kind of bribery again. I hope that the hon. Member for Finsbury will give all Gentlemen who may be inclined to do so the benefit of his advice in this respect, and exhort them thus: "You see it is no use your trying to play this game. You do not carry the voters with you by paying their rates for them, and therefore I would advise you to leave it to such of the electors themselves as are willing and able to pay. Trust to their politics, whether they be Whigs, Tories, or Radicals, and, trusting to your own merits, take your chances to get their votes as best you may." But there was, it was said, a defect, and I felt it, namely, that the period of registration came very suddenly after the time at which the rates which were due, should be paid up, and that electors from being away from their town or borough, or by reason of any other accidental circumstances, were left out of the registration, when really it was not so much by any fault of their own, as because of their not having notice that such omission was likely to take place. But since that was complained of, an alteration has been made in the law, not to the effect that a longer period should be granted, as I suggested, but that due notice shall be given to all persons that the payment of the rates will be required for the purpose of being registered. The Act 6 and 7 Victoria, c. 8, contains this provision in its 11th section, and enacts that the overseers of every parish shall give notice in writing, on the 20th day of June, that nobody can be admitted on any list of voters unless he shall have paid, on or before the 20th of July, all poor rates and assessed taxes which may have become payable by him in the course of twelve calendar months, ending on the 12th of April previous. If a man be really anxious to have a vote, and willing to pay his usual rates, and has sufficient money to be able to pay them, he has, on the 20th of June, a notice posted up in his borough that the rates accruing due in the preceding April must be paid in a month from the date of that notice, for that otherwise his name cannot be registered as a voter. This is quite a fair and sufficient notice for all voters, and indeed I must maintain that a man really anxious about the privilege of the franchise, having at his command the means of paying, living in a 10*l.* house, and seeing a notice posted up in his borough for a whole month before, advertising him that if he does not pay the rates within a month from that period, he will be struck off—I say that a man thus situated is utterly inexcusable if he neglects to pay in time. If he is solvent and able to pay, he ought to pay; but if he is not able to pay, if he is incapacitated from paying the rates due on the 10*l.* house which he occupies, then I say he has no right to claim a vote in respect of that house, for he is a person likely to be corrupted by the payment of his rates for him by other persons, and he ought to be content to forego his vote. I cannot think that the Bill of the hon. Member is at all defensible in principle. So far from the Reform Act having been an innovation, the Bill of the hon. Member, which would go to repeal some of the clauses of that measure, would be the greatest possible innovation on the constitution of this country. Nothing surely could be more foreign to the principles of the constitution, than to declare that the payment of rates of all kinds without proof of any possession of property, should be omitted from amongst the qualifications for a vote. My hon. Friend has thought fit to enter upon this discussion. I have stated the reasons and considerations which appear to me to work against his Bill; and as he has chosen to go into this disquisition, I have only to state, in conclusion, that I will oppose the introduction of the Bill, and vote against it.

Mr. GISBORNE was in favour of the Bill. He hoped that it would obtain a first and second reading; for he warmly approved of the principle it affirmed. If an occupier of a 10*l.* house was a defaulter in his taxes, let a distress be levied against his property; and if the return should be *nulla bona*, then let him be by all means rejected from the registry. A sufficient guarantee would be thus secured.

Sir DE LACY EVANS observed, that if the Bill proposed by his hon. Friend was to be rejected on the ground of a comparison between the corruption that existed before the Reform Bill, and the corruption that now exists, or a comparison of the numbers of the constituency before the Reform Bill, and the numbers of the constituency now, they might be unable to adduce sufficient arguments to induce the House to pass the Bill. But the question was, had the avowed objects of those ratepaying clauses been really no more in practice than they were informed they would be? It was considered that the only object of those clauses was to afford a test of the solvency of the voters; but there were returns before the House which proved that they went beyond that, and that they deprived one-half of many constituencies altogether of their franchise. He should not trouble the House with many details; but he would refer to returns from St. George's parish, Westminster, by which it appeared that 399 persons had been deprived of their franchise. And what was the description of persons who were so deprived of the franchise? And what was the description of houses occupied by them? The houses were in St. George's Square, and Belgrave Square, and Belgrave Street, and Great George Street. The noble Lord had stated, that it was an ancient principle of the constitution that the rates should be paid; but, even assuming that to be the case, it was not an ancient principle of the constitution that the taxes should also be paid; and the Act required, not only the rates, but the assessed taxes to be paid. The electors were subjected, not only to the proper or improper performance of their duties by the parochial officers, but they were also subjected to the proper or improper performance of their duties by the Government officers. In the whole of the parish to which he had referred, not one person was disfranchised for non-payment of rates, but the whole 399 were disfranchised for non-payment of Government taxes. That was a proof of the mischievous consequences of adding to the old qualification of rating the payment of assessed taxes. There were 100,000 qualified persons in the metropolis deprived by this clause, and the obstructions that were produced by this clause, of their votes, including people, not merely occupying 10*l.* houses, but the great majority of whom occupied 40*l.* and 50*l.* houses. With that fact, which was undeniable, he should leave the matter to the House, and trusted they should not be called upon to divide on this Bill.

Mr. PHILIP HOWARD remarked, that if the persons referred to did not pay their rates and taxes, and if they did not exercise proper diligence in doing so, it was through their own fault they were disfranchised. The payment of the poor rates he conceived to be one of their first duties to the poor; and those persons who composed the constituencies of Great Britain ought to be ready to pay them cheerfully. It would, in fact, be impossible to object to universal suffrage, if they did not require from the persons who had property the payment of those rates; and he should give a decided negative to this measure.

Mr. HUME agreed with the hon. Gentleman who had just sat down, that it was the duty of every man to pay his poor rates and taxes. It was a duty which he hoped every man who had property would perform; but the law should provide the means by which those taxes could be collected in a manner altogether distinct from the elective franchise. He would remind the noble Lord at the head of the Government, that when the Reform Bill was introduced, a proposition was made to expunge this very clause from the Bill, and on the occasion a very strong petition was presented from the city of Westminster on the subject, showing that one of the greatest abuses of which the electors had to complain during the preceding twenty years, had arisen from the payment of scot and lot, and predicting that it would be a great means of impeding the exercise of that power which was intended to be given by the Bill. It was said by the noble Lord, when he introduced it, that he was not about to give a fanciful reform, but a House of Commons to represent the mass of the community. It was, he said, his object to extend their franchises so as there should not be any constituency less than 300; and he expressed a hope, that, at least, the constituencies would consist of from 500 to 1,000 electors: and the noble Lord certainly surprised him by the statement which he now made, that the proposition of the hon. Member for Finsbury was a violation of the principle of the constitution. He would vote for this proposition, because the noble Lord who was at the head of the Government when the Reform Bill was passed (Earl Grey), had made use of this very important phrase when introducing that question, on the 3rd of October, 1831. He said—

> "I believe the present measure to be a measure of justice, sound policy, peace, and conciliation. I believe that on its acceptance or rejection depend, on the one hand, peace, tranquillity, and prosperity; on the other, that state of political dissatisfaction and discontent, the continuance of which threatens all those disastrous consequences which must arise when ill-feeling is engendered in the people towards the Government of the country."

The noble Earl, therefore, urged the measure on the understanding that it would give satisfaction to the people of England, and remove dissatisfaction. But what was the case now? He believed that only twelve males of twenty-one years of age in every hundred in this country had the elective franchise. In Ireland there were a great many less. Was it possible to believe that these men, thus deprived of the franchise, would be satisfied? It was plain that numbers were deprived of a portion of those advantages which it was intended they should have by the Reform Act, owing to the operation of these clauses. To remove them would be an act of justice, would be the means of extending the franchise, and of giving greater security in the election of representatives. If the noble Lord resisted the proposal on the ground that it would be a violation of the constitution, he could not understand why the supporters of the Bill were not entitled to call on the noble Lord to see that each borough had a constituency of at least 300 electors. He had in his hand a list of 35 boroughs, in each of which there were less than 300 electors at this moment, the numbers being, in some 250, in some 180, and in others 100. Now, every man who was disfranchised, he said, was a slave; and every man who was not qualified to vote for a representative in Parliament was in the condition of having a master over him whose orders he must obey at any rate. Being desirous to conciliate and keep the peace of this country, he should vote for the Bill, because it would tend to increase the number of electors, and to remove those impediments to the acquirement of the franchise which were most inconvenient to the mass of the people.

SIR BENJAMIN HALL called the attention of the House to returns showing the number of persons disfranchised in Marylebone for non-payment of rates and taxes; and from which it was to be inferred that the total number disfranchised for non-payment of the assessed taxes amounted to 1,033, and for non-payment of parish rates 339. Persons were often disfranchised by the wilful carelessness of those persons who were appointed to collect those assessed taxes; and he would give one instance in which the election of a borough was all but turned by the negligence of the collectors. It had occurred to himself. In the year 1834 he found that the assessed-tax collector in the borough which he had the honour then to represent—Monmouth—did not call for payment of the taxes on those persons who were likely to vote for him; and this fact coming to his knowledge, he called at the office in London, and insisted that the collector should call on those persons. The result was, that four of them were put on the register. He happened to be in Italy at the time of the election, and he found, to his surprise, that he was returned to Parliament by a majority of four; and, therefore, it was owing to the circumstance of his making the tax-collector do his duty that he obtained the seat; for if he had not compelled him to do his duty, another Member would have been returned to Parliament for the borough. The present law gave the assessed-tax collectors great power to exercise favour towards those parties who entertained opinions similar to those which the tax-collectors themselves were supposed to hold. If the noble Lord were resolved to persevere in his determination to oppose the Bill, and if the Bill were not carried, he (Sir B. Hall) did hope the Government would take the matter into their serious consideration. He trusted that at least they would give more ample time to parties to pay the rates; that they would put back to a more distant period the time for the collection of the rates; and that they would not allow the collectors to have that great power which they had at present.

MR. T. D'EYNCOURT was of opinion that the collector should be obliged to call on the individual who owed the tax, and that he should not have to seek out the collector. The collector should be bound to make a demand on the taxpayer, and if he did not call on him the law should be that the party who was to pay the assessed taxes should not lose his vote. It was anticipated at the time of the passing of the Reform Bill that the constituency would receive a very material addition, amounting, as had been stated, to somewhere about half a million; and he thought that the noble Lord at the head of the Government had admitted that the number had fallen short of that. He believed the increase of the constituency was two hundred thousand short of that; while the population, which in 1831 amounted to 16,000,000, was now somewhere about 18,000,000. It appeared, therefore, that while the population had materially increased, the constituency was very materially short of the number specified. His noble Friend had talked a great deal of constitutional practice, and of the unconstitutional nature of his hon. Friend's Motion, and seemed to think that the payment of scot and lot formed a part of the ancient constitution of the country; but if the noble Lord restored the right of voting on payment of scot and lot, and treated householders paying scot and lot as substantial voters, the noble Lord should have his support. That was the proposition he had the honour to submit to the House at the time of the passing of the Reform Bill; and he thought if there was anything unconstitutional in the Reform Bill, it was the introduction of that clause which made it necessary for the electors to pay the King's taxes in addition to the scot and lot payment. That was quite a new principle to the constitution of this country; it was a matter of novel introduction that the payment of the King's taxes should form part of the franchise of this country. It was necessary to give a substantial franchise to the electoral body; but that was impossible as long as they made the payment of the assessed taxes an element of that franchise. He hoped the Chancellor of the Exchequer might be able to propose, next year, some scheme by which they might get rid of the assessed taxes altogether; and what then was to become of this important element of the franchise, according to the opinion of the noble Lord? On the whole, he trusted that if the noble Lord persevered in his objection to the Bill, he would see the necessity of bringing in a Bill to make it imperative on the collector to call for payment at the house of the individual who owed this tax.

Captain PECHELL said, that it was clear, after what had fallen from the noble Lord, that the people must take this case into their hands, as they could not look for the assistance of the Government. He confessed that he was grievously disappointed at the speech of the noble Lord, when there was such a large mass of the people so much discontented with the present state of the representative system in this country. The large meetings which had been recently held in so many populous places, showed the state of public feeling as to the failure of the Reform Bill. If the Motion was pressed to a division, he should give it his cordial support; and, above all, as he had been entrusted with a petition from his constituents, which demanded, in strong language, the repeal of the hateful ratepaying clauses of the Reform Act.

Mr. WAKLEY said, if the noble Lord intended, at some future time, to oppose the Bill with the whole strength of the Government, he trusted that the noble Lord would do so at once, instead of wasting so much public time, and at the same time exciting expectations which he did not mean to fulfil. The noble Lord, however, had that night shown great valour in opposing the Bill, but he did not show much discretion or wisdom in the course he had taken. He would appeal to the House as to whether there ever was a case on which the arguments were so completely on one side. The noble Lord had altogether failed in showing that the proposed measure of his (Mr. Wakley's) honourable Colleague was of an unjust or unconstitutional character. The case, as stated by his hon. Friend, had not even been touched upon by the noble Lord. It was very remarkable that there was nothing like the ratepaying clause in connexion with county voters. Why should the poor voters in towns be put under such restrictions, when the county voters were altogether exempted from everything of the kind? Again, Scotch Members were not required to show any qualification before they took their seats in that House; while a 10*l.* householder could not be placed on the register until he had shown that he had paid his rates. A man who inherited a landed property in a county, or a clergyman who had been inducted to a living, could at once be placed on the county register; while a person claiming to vote for a borough, must have resided and paid rates in it for upwards of twelve months before his name could appear on the register. In the counties, also, the 50*l.* tenants at will were, for the most part, the mere serfs of the landlords, and often did not know the name of the candidate they were to vote for, until they received directions to go up to the poll. It was a mere pretence to say that the people had a 10*l.* franchise conferred on them, when such a trick was played as to place the restrictions on it which were imposed by the ratepaying clauses. It was not always the poor that were affected by these clauses, for at one time the Governor of the Bank of England, and the right hon. Baronet the Member for Tamworth, were disfranchised for not having paid their rates within due time.

Sir G. GREY entirely agreed with the hon. Gentleman who had just spoken, that it was very desirable that the decision of the House should now be taken on the Bill proposed, because the hon. Gentleman the Member for Finsbury had stated its objects so clearly, that if they had the Bill before them, they would know no more about it. But the hon. Gentleman who had just sat down, had complained of the extraordinary silence of the Treasury Bench; and a strange complaint it was after the speech of his noble Friend, who had so clearly stated the views of the Government, holding out no hope whatever of their being able to support it at any stage, that it was quite unnecessary for any other Member of the Government to address the House on the subject. At the same time the hon. Member expressed no surprise, unlike the hon. Member for Brighton, who had been greatly disappointed by the speech of his noble Friend, of which he had heard only a small portion. Having listened to the speeches which had been delivered in favour of the proposed measure, he could not but think that many of the arguments adduced were very wide of the question; and that some of them might have been urged, and were, indeed, urged, when the hon. Member for Westminster brought forward this measure for facilitating the operation of the franchise, by extending the period for the payment of the taxes to avoid the accidental disfranchisements which had occurred. The theme of many of the speeches embraced a question not now before the House. The Member for Montrose had used an argument that seemed to go far beyond the question. He complained that the noble Lord at the head of the Government had held out an expectation, when he introduced the Reform Bill, that a large increase would take place in the number of voters, and that he (the hon. Member for Montrose) and others had been much disappointed at the non-realization of that expectation. The hon. Member for Montrose had said that not more than twelve in every hundred capable of exercising the franchise had a vote; but he would ask if the present Bill, which merely went to repeal the ratepaying clauses, would be a remedy for that evil? Did his hon. Friend believe that the repeal of these clauses would double the voters in the metropolis? The hon. Member for Finsbury (Mr. Wakley) had gone to a very indefinite extent, and had asserted that the Reform Bill had utterly failed to answer the expectation which he, in common with many others, had entertained at the time of its passing. It should be recollected, however, that a very large increase in the constituencies of the country had taken place through the instrumentality of the Reform Act, not only in the metropolis, but in Manchester, Birmingham, Sheffield, the manufacturing districts of Lancashire and Yorkshire, and other populous boroughs and districts; and, therefore, it was not a proper mode of speaking to say that that measure had disappointed the expectations of the people. It had been stated, however, by his noble Friend, that he, and the others who introduced the Reform Bill, thought it desirable to adhere to the principle that the payment of rates ought to be a condition, and it was accordingly embodied in the measure. On that occasion, the hon. Member for Montrose presented a petition against the scot and lot franchise, showing that the greatest abuse had been committed by candidates paying the rates before an election. That statement was well founded. It ought to be recollected, that the grievance which was found to exist in the working of the original clause, had been corrected; and it might also be borne in mind, that the measure proposed to be introduced, did not rest on any alleged corruption. His noble Friend, in replying to the remarks of the hon. Member for Marylebone, had alluded to the alteration which had been made in the law, by which overseers were compelled to give notice to voters of the payment of their rates, in order that those persons who were able or willing to pay the rates might do so in time. Reference had been made during the discussion, to the difference which existed between county and borough voters; but his noble Friend had shown that that distinction had not been created by the Reform Bill. Previous to that time forty-shilling freeholds were recognised as evidence of the possession of property, and no other test was deemed necessary. But there was another difference besides this. There was no such thing as a 10*l.* franchise in counties, although many thought there ought to be; but if it were contended that the county and borough franchise should be assimilated, the House must be prepared to go far beyond what was provided for in the Bill now sought to be introduced.

Sir C. NAPIER was glad to find that the hon. Member for Finsbury had succeeded in unsealing the lips of some of the Ministers; and he wished that he had the power of unsealing the lips of some other hon. Members. There was the hon. Member for Greenwich: he (Sir C. Napier) would like to know what he would say to his constituents when he met them. There was also the Member for Lambeth (Mr. Hawes), who held the office of Under Secretary for the Colonies; there was also the Member for the Tower Hamlets, who held an office in the Ordnance Department. He should like to know the opinion of these Gentlemen at the present moment. [An Hon. MEMBER: Not to-night.] Oh, yes; to-night. An election was coming on, and it was necessary that the constituents of hon. Gentlemen should know on what ground they stood. He had always understood, so far as his limited knowledge went, that one object of the clauses objected to, was to induce people to pay their rates and taxes with greater facility than before; but he did not think that that object had succeeded. It had been found that people had not paid up their rates and dues any readier than before; but as the law possessed the power of compelling payment, he did not see the necessity of giving an additional stimulus to the payment of taxes by visiting non-payment with disfranchisement. His own opinion was, that the repeal of the ratepaying clauses would tend to practically extend the franchise; and such being his opinion, he should vote for the introduction of the Bill.

MR. WILLIAMS said, that the noble Lord had only two points of opposition to urge to the proposed measure. The first was, that previous to the passing of the Reform Bill the franchise was that of scot and lot; and the second reason was, that 40*s*. freeholds afforded a great security that property was possessed by the holders. He was really surprised to hear the noble Lord introduce the scot and lot franchise as an argument, for he must have known that only a very small portion of the constituencies which existed previous to the Reform Bill were made up of scot and lot voters. He should very much doubt if the noble Lord could prove that any one of the towns in schedule A had a scot and lot voter, or that schedule B was in different circumstances. In fact, that class of voters was exceedingly limited, and almost confined to large and populous towns. The noble Lord had forgotten one important class of voters, the freemen and burgesses, who were not called upon to pay rates or taxes as a condition of their voting. Now, it appeared most extraordinary that the noble Lord, in introducing his Reform Bill and defending it now, should consent to allow a large class of freemen and burgesses to have votes without any sort of qualification whatever, with the exception of that of continued residence for twelve months. It so happened that he (Mr. Williams) was possessed of each of the three kinds of franchises he had specified. He was a voter in virtue of being a householder, and as a qualification for the exercise of that vote he was compelled to pay rates and taxes within a certain time. He had also the honour of being one of the noble Lord's constituents as a liveryman of the city of London. In connexion with that vote he held no property, and yet he was a constituent of the noble Lord, and one of his supporters; but really, looking at his backward movement on the question of the franchise, he believed that were it not for the good he had done in former days, he should be inclined to oppose him on the next occasion. Among his (Mr. Williams's) own constituents were six hundred freemen—honest freemen—from whom no qualification was asked save that of having resided in the borough for twelve months. Amongst these voters were men of large property; but the generality of them were not in the same circumstances as the 10*l*. voters, and yet by the operation of the clauses in question an obligation was laid in a most inconsistent manner upon the richer portion, and an exception made in favour of the poorer. In the borough in which he resided, there were at the present moment on the register 2,814 householders, many of them holding large property, who were disqualified through the operation of the clauses which formed the subject of discussion. Now, this had not arisen from inability or unwillingness to pay the taxes, but from oversight. A gentleman came to him lately—a man possessed of great wealth, and the occupier of a house worth perhaps 500*l*. a year—complaining that in consequence of his having mislaid a paper which had been left at his house by a taxgatherer, he had overlooked the payment of his taxes, and had just received intimation that he would be prosecuted in the Court of Exchequer if he did not make the payment within a fortnight. Now that gentleman never was applied to for payment before. He wrote to the Chief Commissioner of Stamps, complaining of what he thought to be negligence on the part of the collector; and to his letter he received a pithy and dry answer, stating that the collector had no business to call for payment, and that if he left the paper it was all that he was required to do—it was the business of those owing the taxes to call upon the collector and pay the money.

Lord G. BENTINCK: The hon. Gentleman has charged my noble Friend with making a backward movement. Now, if my noble Friend had been guilty of a backward movement, he should not have had my support; but it is because in my opinion he is taking a firm stand upon that great measure of reform of which he is himself the father, that he meets my support; and I think that all those Gentlemen who were Members of the House of Commons in 1830 and 1832, and who can remember also that the country was appealed to on "the Bill, the whole Bill, and nothing but the Bill," and that the clause objected to is identically the same with that upon which the country was appealed to, are bound in honour and consistency to support my noble Friend on the present occasion in rejecting the proposition of the hon. Member.

Mr. B. ESCOTT said, that the appeal which had been made to the country relative to "the Bill, the whole Bill, and nothing but the Bill," had nothing to do with the present question. The question at issue was this, whether the respectable middle classes of England should have a clear stage and a fair opportunity of returning Members to represent them in Parliament, uninfluenced by corrupt motives. For himself he should vote in favour of the introduction of the Bill. He believed the existing law was exceedingly productive of corrupt practices at elections. He believed that there were whole boroughs which were entirely swayed by the corrupt payment of the rates. This was one of the worst kinds of bribery—it was a mixture between charity and bribery, so closely combined that it was difficult to distinguish between the two. Under the pretence of charity, coals and candles were distributed in some quarters; but the real object was to ensure the return of Members to Parliament. He (Mr. Escott) believed that the noble Lord would be the first to condemn any such practice, because he did that noble Lord the credit to believe that he wished a pure representation of the people. He believed that the Bill which that noble Lord introduced the Session before last was one which would have a material effect in preventing that effect. He was sorry that the noble Lord should deem it his duty to oppose the proposed measure, as the effect of that opposition would no doubt be to secure its defeat in the present Session.

Colonel WOOD was satisfied the hon. Member was mistaken in supposing that there was any corruption of the kind he had referred to going on in the borough towns of Middlesex. He believed the hon. Gentleman could not give a single instance of the corrupt payment of rates and taxes.

The House divided:—Ayes 38; Noes 58: Majority 20.

List of the Ayes.

Barnard, E. G.
Blake, M J.
Bowring, Dr.
Bright, J.
Brotherton, J.
Christie, W. D.
Collins, W.
Crawford, W. S.
D'Eyncourt, rt. hon. C.
Duncan, Visct.
Duncan, G.
Duncannon, Visct.
Escott, B.
Fielden, J.
Gisborne, T.
Hall, Sir B.
Hume, J.
Humphery, Ald.
Marsland, H.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Morris, D.
Napier, Sir C.
O'Brien, W. S.
O'Connell, M. J.
Pechell, Capt.
Plumridge, Capt.
Ricardo, J. L.
Roebuck, J. E.
Scott, R.
Thornely, T.
Turner, E.
Villiers, hon. C.
Wakley, T.
Warburton, H.
Williams, W.
Yorke, H. R.

TELLERS.
Duncombe, T.
Evans, Sir De L.

List of the Noes.

Acland, T. D.
Anson, hon. Col.
Arundel and Surrey, Earl of
Bailey, J. jun.
Baring, rt. hon. F. T.
Bentinck, Lord G.
Boldero, H. G.
Borthwick, P.
Butler, P. S.
Copeland, Ald.
Craig, W. G.
Dick, Q.
Dundas, Adm.
Forbes, W.
Fox, C. R.
Gibson, rt. hon. T. M.
Gore, hon. R.
Graham, rt. hon. Sir J.
Greene, T.
Grey, rt. hon. Sir G.
Harcourt, G. G.
Hawes, B.
Henley, J. W.
Hervey, Lord A.
Hobhouse, rt. hon. Sir J.
Howard, P. H.
Johnstone, Sir J.
Labouchere, rt. hon. H.
Lygon, hon. Gen.
Macaulay, rt. hon. T. B.
Mainwaring, T.
Mangles, R. D.
Manners, Lord J.
Maule, rt. hon. F.
Morpeth, Visct.
O'Brien, C.
O'Conor Don
Paget, Lord A.
Pakington, Sir J.
Palmerston, Visct.
Parker, J.
Plumptre, J. P.
Ponbill, F.
Rich, H.
Russell, Lord J
Rutherfurd, rt. hon. A.
Sandon, Visct.
Shaw, rt. hon. F.
Somerville, Sir W. M.
Spooner, R.
Stuart, J.
Stuart, W. V.
Tollemache, J.
Vesey, hon. T.
Vyse, R. H. R. H.
Winnington, Sir T. E.
Wood, Col. T.
Wyse, T.

TELLERS.
Hill, Lord Marcus
Tufnell, H.

JUVENILE OFFENDERS.

Sir JOHN PAKINGTON rose to move for leave to bring in a Bill for the more speedy trial and punishment of juvenile offenders. The subject might be divided into three distinct branches. The first was that frightful state of ignorance of every duty towards God and man, which must strike every one at all conversant with the condition of criminals in this country as being their peculiar characteristic. The second was the present mode of trying and convicting juvenile offenders in this country, with all its attendant evils of previous contamination and subsequent ruin. And the third, which, although he had ranked it last, was probably the most important of all, and which was certainly the most difficult, was, how they were to dispose of juvenile offenders after their conviction, so as to inflict a proper punishment for the offence committed, and at the same time to keep in view the great object of the reformation of the offender. That was not a proper occasion upon which to enter into the subject of national education; but he should nevertheless say that he held a strong opinion upon the subject—an opinion which he had formed from his experience in courts of justice—that the want of a better education in this country was one of the most fruitful sources of crime, and that some extensive system of education throughout the country would be found to be a great means of its diminution. Some progress had been already made with the question to which he was alluding; but the question of how they could deal with juvenile offenders after conviction was one which could only be dealt with successfully in the manner in which, he was happy to say, it had been taken up by the Government of the day. He returned his thanks to the right hon. Baronet for the attention which he had given to the subject; and he did not hesitate to give it as his opinion that the right hon. Baronet, if successful in the task he had undertaken (he well knew the difficulties attending it, but if successful), he would have conferred upon the country as great a service as had ever been rendered by any Minister holding the situation which the right hon. Baronet held. He should now confine himself to the second of the divisions of the subject which he had mentioned; and he should say that whatever might be the services which the right hon. Baronet, if successful in his endeavours, should render, his success would be incomplete — any good which he might seek to achieve would be incomplete—unless the mode of trying juvenile offenders should be totally altered—unless he should get rid of the evils attendant upon the system of imprisonment before trial. Therefore it was that with regard to the second branch of his subject, namely, the present mode of trying juvenile offenders, he would state to the House that the Bill which he then sought to introduce, had for its object the substitution, in certain cases, and under certain limitations, of a power of summary conviction instead of the trial by jury. Great as was the value which was in this country attached to the trial by jury, there was a class of cases in which by its abolition the evils attendant upon the previous imprisonment would be avoided — evils which in those cases were so great as to do away completely with the advantage which the trial by jury gave. He would not detain the House by going into the question at any considerable length, but he would beg to mention a few cases that had come under his own observation in the county of Worcester. In November last a boy, fourteen years of years of age, was committed for trial at the January sessions for stealing twopence; and the consequence was that he was obliged to remain in prison for seven weeks before he could be tried. In another instance a girl, twelve years of age, was committed for stealing one quart of milk, the highest value of which was no more than 2*d.*; and the consequence was that she had to undergo a long imprisonment, during which she was exposed to the corrupting society of the most abandoned persons. Neither must it be supposed that only a small class of criminals were involved in this question. Some idea of the number of juvenile offenders committed to prison throughout the kingdom might be formed from the fact stated in the petition from Liverpool, presented in the other House of Parliament the other evening by Lord Brougham, that out of 50,000 persons committed to prison, no less than 5,000, or 10 per cent, were under seventeen years of age. In Worcester, he found the proportion of juvenile offenders fluctuate very much. In 1845 the prisoners under sixteen years of age were between one-sixth and one-seventh of the whole number of persons committed. In urging the necessity of the change in the law which he advocated, he should make some allusion to the weight of authority by which he was supported. He would not dwell on the fact, that in the last few years men of great weight in both Houses of Parliament had pressed forward the necessity of a change; but he would call the attention of the House to other authorities that must be of the highest weight with the House. The first of these was the report of the inspectors of prisons for 1846. In their report for the home district for last year, they stated, in allusion to this subject, that—

> "There is, however, another cause of the offences of youth which most powerfully contributes to strengthen the vicious propensities which they derive from every other source. We refer to the corruption produced by imprisonment. It is painful to reflect that the remedy provided by law for the correction of the offender, should only tend to render him more criminal. Of many children whom we have seen in prison, we hesitate not to affirm that absolute impunity would have been far less mischievous than the effects of their confinement."

He could also appeal, he believed, to his right hon. Friend below him (Sir Robert Peel), who was a member of the Committee of Inquiry into County Expenditure of 1834; the Committee divided itself into four sub-committees, one of which, appointed to investigate the subject of criminal prosecutions, was presided over by the right hon. Baronet the Member for Tamworth. That sub-committee presented an elaborate report, at the end of which they stated—

> "We have reserved for the conclusion of our report an earnest recommendation to Government and to Parliament to take into their early consideration the practicability of establishing some tribunal for the speedy trial of young offenders charged with comparatively light offences. The present process of the law is too cumbrous and too dilatory in regard to cases of this description, and neither gives adequate protection to innocence, nor insures a duly regulated punishment to guilt. The committal to prison for trial involves frequently a period of confinement longer than that which follows actual conviction, and a stigma upon character not justified by the moral quality of the offence with which a young person is charged. It has also in many cases a much greater tendency to overcome his repugnance to crime by familiarising him with the society of a gaol, than to deter him from the commission of it by the actual experience of the penalty of imprisonment. The object to be achieved is to establish a tribunal to which immediate appeal can be made, and which can award the species of punishment which may be most suitable to the nature of the offence, and the character and habits of the offender, and at the same time to devise those checks against abuse, and those securities for the deliberate and impartial hearing of each case, which are the more necessary in proportion as the process is summary, and as the public attention is less called to the proceedings of the court."

He endeavoured to frame his Bill in the closest accordance with the principles thus laid down in that report; and as his right hon. Friend was chairman of the sub-committee, it was to be presumed that he was a party to the sentiments put forward by them. The next authority to which he would refer, would, he trusted, secure for him the support of the noble Lord at the head of Her Majesty's Government. It was the Report of the Criminal Law Commissioners in 1837. The noble Lord was then Secretary of State for the Home Department, and referred at the time in favourable terms to the report on this very question, and said that he had his doubts whether the present state of the law was satisfactory and beneficial. In the year to which he alluded, the Commissioners made a special report, in which they bore out, as strongly as language could bear out, the view which he was now endeavouring to impress upon the House. He would beg to read a rather lengthened extract from that report. They said—

> "But admitting it not to be desirable in general to withdraw any class of offenders from the ancient and popular tribunal, it must be remembered that the choice, in this instance, lies between two evils; and the practical question is, whether the advantage gained by the diminution of imprisonment for safe custody, in the case of young persons, is not cheaply purchased by a sacrifice of the benefit to be derived by themselves and the public from their trial by a jury. Considering the simplicity of the offences in question, and the trivial nature of the circumstances on which they generally depend, we can discover no great or peculiar advantage to the offender or the public in investigating them by a jury; and, on the other hand, both the offenders and the public derive an important and undeniable advantage by the adoption of a course with which a trial by jury is inconsistent. Under such circumstances, it appears to us that a departure from the general and constitutional course is fully justifiable. But with respect to petty thefts, where they constitute larceny, the magistrate has now no power to discharge the offender and punish him summarily, but is bound by law to send the case for adjudication to another tribunal. However small the value of the article stolen, if the offender is above seven years of age, and if his offence is a felony, he must be committed to take his trial at the assizes or sessions. He must remain for weeks or perhaps months in prison, without being subject to compulsory discipline; and though his guilt may be so clear as not to be denied even by himself, the whole machinery of an indictment, a grand jury, and a petty jury must be applied to investigate the facts before he can be punished for his crime. While it is obvious that the adoption of this course in the case of young offenders is, in various ways, productive of positive evils, especially in the destruction of morals incident to imprisonment before trial, there are no advantages to counterbalance them. The formality of a solemn trial adapted to crimes of magnitude, when applied to such cases, derogates from the dignity of a superior court of justice, and has not the effect of deterring from transgressions of the law; for the slightness of the offence, and the youth of

> the offender, usually render him more an object of compassion than a fit subject of punishment; and if the jury do not, under such feelings, acquit him altogether, they recommend him to mercy on account of his youth, and the sentence passed upon him by the court is little more than nominal. In trivial felonies, therefore, committed without any collateral circumstances of aggravation, a solemn trial by a jury cannot, we think, be of use in the way of example; and as to the reformation of the offender, the direct tendency of the proceeding, by subjecting him to the demoralization of a prison, is the reverse; so that neither of the two great objects of penal laws, namely, the prevention of crime and the reformation of the criminal, is accomplished by the present mode of trying very young persons for trivial offences. For the above reasons, and after a full consideration of the evidence which has been given upon this subject by practical men on various occasions, and particularly the opinions expressed by Lord Wharncliffe, Mr. Sergeant D'Oyly, Mr. Gawler, and Mr. Alderman Harmer, in the appendix to our second report on the criminal law, and of Sir Frederick Adair Roe and Mr. Mayne, in the appendix to this report, we are convinced that the most salutary mode of diminishing juvenile crime would be by entrusting to magistrates, within certain limits and restrictions, the discretionary powers which we have suggested at the commencement of this report."

It might, however, be said that this report was made ten years ago, and that the views of the commissioners might have changed since then. He had not been able to communicate with all the commissioners; but he had communicated with some of them, and he could tell the House that these gentlemen retained the opinion which they then expressed as strongly as they did ten years ago, and that they still thought another plan ought to be substituted for the existing mode of treating juvenile offenders. He could also tell the House that he was empowered to support his Motion by another authority which was deservedly of great weight in that House. He alluded to Sir Edward Ryan. Though now at the head of the Criminal Law Commission, Sir Edward Ryan was not connected with it in 1837; but still he had great experience as a lawyer, and had, during the time he was chief justice in India, introduced a similar system there with great success, and had now given him (Sir J. Pakington) permission to state his entire concurrence in his views. In the report of 1837, the commissioners state that they disapprove of magistrates not having power to treat the cases of juvenile offenders in a summary manner; and they add, that neither of the two great objects of criminal law, the prevention of crime and the reformation of the criminal, was secured by the existing system. They were convinced that the most salutary mode of diminishing juvenile crime would be the entrusting to magistrates the power, within certain limits, of summarily punishing juvenile offenders. He would wish to remind the House what was the practice followed under the present law. Why, that magistrates were so impressed with the disadvantage, and, he might say, cruelty, of sending those infants to gaol for long periods before their trial, that many of them felt it to be their duty to refuse receiving informations, though if they could deal summarily with the cases, they would not suffer the offenders to escape. On the other hand, other magistrates, entertaining a more strict sense of duty, felt bound to commit these young offenders for trial. He need not point out to the House the inconvenience which must result from the inequality thus produced where inequality ought not to exist, and of the extremely bad moral effect of humane magistrates appearing to hold out an impunity for crime. But this kind of humanity was not confined to magistrates. There were others, acting in a judicial capacity, who acted in the same manner; and within the last few weeks they had the case of a judge sentencing a young offender, convicted before him of felony, to imprisonment for one hour. He held in his hand a report, prepared by a very able lawyer, Mr. Matthew D. Hill, for the Law Amendment Society, in which he described an arrangement introduced at the Birmingham sessions. The report stated, that—

> "By an arrangement which has been in operation at the Birmingham sessions, from the beginning of the year 1841, young convicts, who are not hardened in crime, are, after trial, delivered to the care of their employers or parents, as the case may be. These persons enter into an engagement to superintend the conduct of their young wards, and to furnish them with the opportunity of earning, or assisting to earn, their livelihood. Both guardians and wards are visited from time to time by one of the superior officers of police, for the purpose of ascertaining the conduct of the parties. The results of this treatment, up to October last, were as follows: 113 convicts had been so delivered up. Of these, forty-four were reformed, forty relapsed, and of twenty-nine the conduct was doubtful. The majority of these twenty-nine, there was reason to fear had relapsed. But all having left their masters, and many having left the town, nothing certain was known of them. This experiment, which, at all events, is inexpensive, may be called satisfactory, when it is considered, that from the moment the young offender leaves the bar the court has no legal control either over him or over his guardian, who, of course, acts gratuitously."

It was not for him to say anything of the propriety of such a course; but if the judges of the land felt it necessary to adopt such modes of evading the law, it was, he thought, clear that great danger existed of the worst results accruing from the feeling extending abroad, that crime might be committed by young persons with impunity. He thought they ought to shape the law so that the danger of contamination during imprisonment would be made as light as possible; and he also thought that good would result from young offenders being taught to feel that their crimes would be followed by immediate punishment. It was said by many persons who had specially considered the subject, that they ought to give the right of trial at petty sessions by small juries. He would not be a party to any such change; but, he thought, if any alteration were made, they should substitute summary jurisdiction for trial by jury; and that, in cases where the larceny did not exceed 40*s*., the prisoner should be liable to trial at petty sessions, before two magistrates, who should have power to imprison for periods not exceeding six months. He was also for giving a power of appeal to quarter-sessions, and likewise for giving the magistrates a power to send the parties for trial before a jury at quarter-sessions, in the usual course, when they should think proper. There was only one other point to which he would refer. He thought it would be desirable for magistrates to have, also, the power of imposing a fine in lieu of imprisonment. This, he confessed, would involve the introduction of a new principle; but still, if adopted, it would save many of the juvenile offenders from being sent to prison at all, while they would also be thus able more effectually to touch the parents, who, in four cases out of five, were the really guilty parties. Having thus stated the outline of his plan, he would only further state his conviction that some such change in the law as he now proposed was demanded alike by justice, by mercy, and by sound policy. He must express a most earnest hope that the House and the Government would not only allow him to introduce his Bill, but that, when introduced, they would give it the fullest and the best consideration, and that they would feel that the time had arrived when it was thought by almost all who had reflected on this subject that such a measure ought to receive the sanction of Parliament.

Sir GEORGE GREY rose for the purpose of giving his very willing consent to the Motion of the hon. Gentleman, but without committing himself, which it could not be expected he should, at the present moment, to the precise measure to be introduced. After the attention which the hon. Gentleman had given to the subject, it would not be just to deny him an opportunity of bringing his own experience before the House, and offering his suggestions in the shape of the Bill which they would have to discuss. He was not aware that there was any subject of greater importance which could come before them. The hon. Gentleman was aware that the question had already engaged the attention of Her Majesty's Government; and, in providing a remedy for the evil, he sincerely hoped that they would derive much assistance from the consideration which the hon. Gentleman had given to the subject.

Mr. HUME wished to make a few observations on what had fallen from the hon. Gentleman, who, he thought, deserved much credit for bringing the subject before the House. The hon. Gentleman admitted that the principal cause of these juvenile delinquencies prevailing to such an extent, was the gross ignorance in which the offenders were reared. But whose fault was that? Why, it was the fault of those who complained most of it. It was the fault of that religious bigotry which prevented the inculcation of sound, moral, and useful learning. He would wish that the hon. Gentleman, instead of looking only to the question of punishment, had directed his attention to the means of prevention. He should say that he did not join in the opinion which the hon. Member had expressed, of the great improvement that had taken place in the education of the people. All those who refused to assist in introducing a general system of education, whereby the people might be better informed upon their duties to society, were undoubtedly the cause of the evils which the hon. Gentleman so feelingly lamented. At the same time, it was to him a matter of the deepest astonishment that the Government should have allowed the reports of the Criminal Law Commissioners to remain unnoticed now for ten years. He blamed the successive Governments for not paying attention to those documents; juvenile delinquency had therefore gone on increasing yearly, without any efficient steps being taken to prevent it. The time, however, was now come for a change; the law in its present state was a reproach to the country, and it was the duty of the Government not to allow it to remain. The hon. Baronet deserved thanks for bringing this question forward; but he was beginning at the wrong end. A general system of secular education should have been introduced in the first instance; and any Government that took that step, would receive the thanks of the country.

Mr. SHAW congratulated the hon. Baronet upon the able and clear manner in which he had introduced this important subject; and begged to offer one suggestion with regard to a material feature in the Bill. It was proposed to give to juvenile offenders the right of appeal to quarter-sessions. If this principle were conceded, he (Mr. Shaw) thought it should be accompanied with an option to the presiding magistrates whether they would try the case or not. He feared the right of appeal would not be found to work well in practice; for his experience led him to believe that the multiplication of appeals more frequently led to litigation than to justice. Besides, who was to advise the juvenile criminal whether he should appeal or not? Without advice, he did not see how a sound discretion could be exercised. In Ireland, it had been found necessary, in order to prevent litigation, to require the professional party representing a criminal to make an affidavit that he was of opinion there were grounds for an appeal.

Colonel T. WOOD expressed his satisfaction at the introduction of this subject. He regretted, however, that the proposed Bill appeared to affect only one part of this difficult question, and that greater advances were not made in the way of summary jurisdiction. Great alterations were required in the mode of treating juvenile offenders after conviction. Education alone was not sufficient for their reformation. He suggested that penitentiaries should be built at the expense of the country to secure this object, as far as it was possible. Four or five would be sufficient. When a child had been found guilty of an offence, either by summary conviction or after trial, he should be immediately transferred to one of these penitentiaries, and the cost of his maintenance be recoverable from the county where the offence was committed; and the county should have the power of recovering from the child's parents the cost of his maintenance, because in many cases they encouraged him to crime. Certainly, where there was a possibility of it, parents should be made to feel the responbility of training their children to nothing but running in the streets.

Leave given.

LAW OF MORTMAIN.

Lord J. MANNERS moved for leave to bring in a Bill to alter and amend the laws relating to the disposition of property for pious and charitable purposes. Last year, the House was kind enough to allow him to bring in a Bill with a similar intent; but when it came to the second reading, many hon. Members imagined it did not sufficiently guard against the solicitation that might be urged upon the deathbeds of languishing persons; and also that it did not take sufficient care to prevent a great increase of land being tied up in mortmain. He had endeavoured to meet these two objections in the present Bill. He proposed to require that all wills or deeds containing bequests or grants of landed property for charitable purposes, should be signed three months before the death of the testator; also, that when such bequests or grants had been made, the property should not go as land to the charity, but that it should be sold, and the proceeds devoted to the purposes of the charity. These were the two main provisions of the Bill; but he further proposed that small portions of land, intended as sites for churches, chapels, and schools, should be exempt from the necessity of being sold. He did not think the present was a time to apologize for the introduction of such a Bill. The Motion which had just been granted (Sir J. Pakington's), amply proved that the State had not done its duty in educating and instructing the people, and that very great reliance must be placed upon private efforts to effect that most important object. The present Bill, he believed, would, to a certain extent, fulfil that purpose; and therefore he hoped the House would assent to the Motion.

Sir R. H. INGLIS said, that retaining all the objections which, in former years, he had expressed to many of the provisions and the general object of the Bill, he did not, on the present occasion, intend to divide the House against its introduction. He regarded the improvements as not inconsiderable, yet they were far from sufficient to mitigate his general repugnance to the measure. At the same time, the House having permitted the introduction of a Bill still more objectionable in former times, and having consented to take the discussion and division in a subsequent stage of the measure, he was not unwilling to adopt that course in the present instance also; but he desired, even in giving leave to introduce the Bill, to express as strongly as he could his general objection to the measure. When the noble Lord said, in reference to a speech which had been delivered on the last Motion, that the State had not done its duty in the education of the people, he (Sir R. H. Inglis) asked, what was the tendency of this Bill to supply that omission? As far as he understood the Bill brought forward in former years, there was no provision whatever by which the liberality of a dying Christian might be directed to the maintenance of a school or any other place of education. There was little connexion between bequests which might be made under the provisions of the Bill, and objects which any Member might desire in respect to Christian education. He held that Christian liberality should be exercised in a man's lifetime in respect to property of which he held the personal enjoyment; that he should deny himself, and not deprive his heirs, who might have looked forward for years to succession after his death. If an individual wished to deprive his heir of his fortune, he should do it without the prospect of immediate death, when in the full vigour of life, and in the full exercise of his reason. He did not feel called upon at that moment to do more than express his continued objection to the Bill. He trusted that an ample opportunity would be given of considering the subject, and discussing it, on some future day, in a manner commensurate to its importance.

SIR G. GREY was glad his hon. Friend did not feel it necessary to divide the House upon the Motion for leave to introduce this Bill; but, without prejudicing the discussion that would take place on it hereafter, he (Sir G. Grey) must express his apprehensions that the alterations which the noble Lord intended to introduce into the measure, were not sufficiently extensive to induce him to hope he should be enabled to support it upon the second reading. As to the exception in favour of land bequeathed for sites for churches and schools, he would remind the noble Lord that extensive alterations had been made in the law, by which the object he had in view was already practically attained.

Leave given.

THE ROYAL ARSENAL, WOOLWICH.

MR. T. DUNCOMBE rose to move—

"For a Copy of the Evidence taken before the Court of Inquiry, instituted in the month of April, 1845, by the Board of Ordnance, at the Royal Arsenal, Woolwich, to investigate Charges preferred by Daniel Toner against William Jones, deputy storekeeper, together with a Copy of the Charges and the Report thereon; also, a Copy of the Charge preferred and the Evidence given against Daniel Tonor, late a labourer in the Royal Arsenal, Woolwich, by Mr. Reed, a clerk in the storekeeper's department, before Lord Bloomfield, Colonel Blayney, and Mr. Cheetham, in August, 1845, with their Report thereon."

His object in moving for these papers, for withholding of which he could see no good reason, was twofold. In the first place, he wanted to show the mode in which the moral treatment of convicts at Woolwich was conducted; and these papers, he believed, would show, as those convicts had on several occasions told him, that in one hour they had committed more robberies for the officers and clerks of the Royal Arsenal than they had ever committed in their whole lives before; and that instead of being likely to be reclaimed there, they were only encouraged in their evil practices. On a former occasion he had moved for an inquiry into the treatment of the convicts generally in the hulks at Woolwich. That, however, had been refused, and he was now compelled to make the present Motion in order to get at a part of that information. His second object in moving for these papers was to show the abuses that took place in that department of the Ordnance at Woolwich; and he certainly could not understand why the Government should refuse those papers, unless for the purpose of screening some of the delinquencies of that department. Daniel Toner had been the chief prosecutor against one of the officers in that department, and having succeeded in proving all his charges, that officer had been dismissed. From that period Toner and all those who gave evidence against their superior officers, became marked men, and were made the subjects of persecution; whilst several of the officers against whom the charges had been proved, had been promoted. He trusted the House would grant these papers; for there was, in his opinion, nothing more important than that such a class of witnesses should be protected when they dared to expose a general system of fraud and pilfering being carried on in a public department of the State. It was his intention, should he obtain those papers, to take ulterior proceedings upon them; but what those proceedings would be, he was not at that moment prepared to say.

Colonel ANSON said, his objection to furnish the first class of papers moved for, which related to the case of Mr. Jones, the deputy storekeeper, rested entirely upon public grounds. The facts of the case were not at all such as had been stated by the hon. Member; and if the hon. Member had taken the trouble to have read the papers which he had brought down to the House on purpose to show him, the hon. Member would have seen how unnecessary it was to have troubled the House with his statement, or to have proposed to put the country to the expense of printing those documents; for there were not to be found ten words in the inquiry into Mr. Jones's case which bore at all upon the treatment of convicts in the arsenal at Woolwich. No objection had been found with Toner for making the charges which he had made against Jones: those charges had been found to be correct—Jones had been punished in consequence, and there was an end to the matter. He had no objection, however, to give the evidence in Toner's case. It was not very likely that Toner, who, immediately he entered the arsenal, pulled out his pocket-book and commenced taking notes, with the view of informing against his superior officers, and who had so continued to spy until he found something of which he could lay hold, should meet with very much sympathy from those towards whom he so acted. Accordingly, when Toner infringed the rules of the arsenal, and, after being warned, repeated the offence, his conduct was reported, and he was eventually dismissed. Upon the decision which the court came to, he thought no reflection could be cast, although he did not mean to say but it would have been better had Toner been present before his judges. He believed, however, that the decision was a perfectly just one; and had he been a member of the court he should have concurred in their views. The charge against Jones for having appropriated some wood or shavings belonging to the arsenal, had certainly been proved; but he had been many years a meritorious officer of that establishment, and had since received a very handsome appointment in a private establishment, which was sufficient to prove the respectability of his character.

Mr. HUME had taken a great deal of trouble to investigate the matter, and he believed that his hon. Friend's statement respecting Toner was substantially correct. He would put it to the Attorney General whether this man ought not to have been heard in his own defence? He had exposed a system of pilfering—he would not call it robbery—which had been going on at the dockyards; and upon his evidence the deputy storekeeper had been convicted and ordered to pay 217*l.*, on account of stores which had been improperly appropriated. He was, therefore, surprised to hear the gallant Officer, as the head of a department, express such an opinion as the gallant Officer had expressed respecting this man's conduct. If he were at the head of a department, he should wish that every man in it should observe the other; and he should think the department very wrong for punishing them for it. With regard to the first papers, he was not prepared to say to what extent they would be necessary for his hon. Friend's purpose. He (Mr. Hume) had sent down to Woolwich to ascertain the facts; and he was able to say, that no man was worse treated than Toner. If the general system of pilfering that prevailed was not put an end to, the public stores could not be protected, and they might as well shut the doors. He hoped a commission would be issued to inquire into the whole administration of the department.

Captain BOLDERO said, that when he was in the Ordnance Department, Toner visited him, and told him a long tale of his grievances, and asked his opinion of the case; and he told him to go back to Woolwich, to his department, and if the annoyance he complained of continued, he might lay the case before the Master General of the Ordnance. He said, he feared he should be mulcted of his day's pay; and in two days after, he told the authority at Woolwich, that in his opinion the man ought not to lose his pay for his absence on that occasion. He stated that, to show that there was no bad feeling against Toner. With respect to his dismissal, he could not give any particulars, as the dismissal was not his act.

Mr. T. DUNCOMBE replied, he was surprised to see such tenderness for Mr. Jones, on the part of those in power, though he had been fourteen years engaged in practices complained of; while poor Toner had no pity shown him, but was left to starve. It was a misfortune that there were not many more Toners in the public service, to show up the delinquencies of their superior officers. He should not be satisfied until a public inquiry had taken place into the subject. It was for that purpose he wanted the papers in question; and, if he stood alone, he would press his Motion on the House.

The House divided, the numbers being—Ayes 11, Noes 20; but there being only 31 Members present, the House stood adjourned at Eleven o'clock.

[No lists, in consequence of the adjournment, were published of the division.]

HOUSE OF COMMONS,

Wednesday, February 24, 1847.

Minutes.] Public Bills.—1° Pious and Charitable Purposes.

2° Roman Catholic Relief; Markets and Fairs Clauses; Commissioners Clauses; Gas Works Clauses; Water Works Clauses.

3° and passed :—Labouring Poor (Ireland).

Petitions Presented. By Mr. Thomas Duncombe, from Leeds, for Alteration of Law respecting the Registration of Voters.—By Mr. S. O'Brien, from Guardians of the Carrick on Suir Union, for Repeal of the Union with Ireland.—By Mr. T. Duncombe, from Leeds, for the Adoption of Universal Suffrage.—By several Hon. Members, from a great many places, for and against the Roman Catholic Relief Bill.—By Mr. Brotherton, from Bodmin, against the Use of Grain in Breweries and Distilleries.—By Sir J. Johnstone, from Scarborough, and Mr. J. Round, from Maldon, for Reduction of the Lighthouse Dues.—By Mr. Wawn, from South Shields, against Repeal of the Navigation Laws.—By Mr. Newdegate, from Poor Law Union of Nuneaton, for an Efficient Poor Law (Ireland).—By Mr. Bright, and other Hon. Members, from several places, for Repeal or Alteration of Poor Removal Act.—By Colonel Verner, from Relief Committee of Taghmon, in Favour of the Railways (Ireland) Bill.—By Sir C. Coote, from Guardians of Mount Mellick Union, for the Formation of Seed Corn Depôts (Ireland).—By Mr. Packe, from Guardians of the Hinckley Union, and Mr. E. Yorke, from Guardians of the Cambridge Union, for Alteration of the Law of Settlement.

LABOURING POOR (IRELAND) BILL.

Mr. LABOUCHERE expressed a hope that he might be allowed to move the Third Reading of the Labouring Poor (Ireland) Bill, although it was not in the list of business for the day.

Mr. W. S. O'BRIEN expressed his regret that the Amendments which the right hon. Gentleman promised to introduce into the Bill in Committee, for confirming and sustaining voluntary agreements between landlords and tenants, had not been adopted. He wished to call the attention of the right hon. Gentleman to a paragraph which had appeared in the *Sligo Champion* newspaper, and which alleged that gross jobbing was going on in Ireland in connexion with the staff of the Board of Works. It was stated that, whilst famine was advancing with rapid strides, and the poor were receiving only 8*d.* per day for their labour, the most extravagant expenditure was lavished upon persons who were not distressed. He wished to know whether it was a fact, that in large districts in Ireland the rate of wages for the destitute poor was not more than 8*d.* a day? It must be obvious that, for the support of a family considerably less numerous than families generally were in Ireland, such a sum as 8*d.* per day was utterly inadequate, and that, under such circumstances, the people must be perishing by degrees. There was another point to which he was desirous of calling the attention of the right hon. Gentleman, and that was, the propriety of converting useless barracks into workhouses.

Sir R. H. INGLIS wished, before the right hon. Gentleman replied, to put a question upon another subject. He had understood from the noble Lord at the head of the Government, that no one of the Bills connected with the present distress in Ireland should receive the sanction of the House till all three of them were equally ready; that they were all to proceed *pari passu*, and not to receive the final sanction of the House till the Poor Law Bill for Ireland had been disposed of. He wished to know if that understanding were to be adhered to?

Mr. LABOUCHERE thought the hon. Baronet had misunderstood the declaration of his noble Friend. It was intended that the Labouring Poor Bill should be proceeded with immediately, and that the two other measures, the Landed Estates Improvement, and the New Poor Law Bill, should, as far as possible, proceed *pari passu* through the House, and be sent together to the other House. With regard to the question of the hon. Member for Limerick, he must, in the first place, state that the hon. Gentleman had fallen into an error in saying the Government had pledged itself to adopt the Amendment to the Bill before the House the hon. Member referred to. The Government had never given such a pledge, and on the whole had come to the conclusion that it would not be advisable to adopt it. With respect to what the hon. Gentleman alleged of the conduct of the Board of Works in Sligo, he had not seen the statement in the newspapers; but he was rather incredulous of these accounts of the jobbing of the Board of Works, and of the immense expense of its staff of management. Former statements to the same effect had, on inquiry, turned out altogether erroneous. He knew there did exist in Ireland an impression that the expense of the machinery of the Board of Works was very great, bearing a large proportion to the whole amount of funds spent in relief, and absorbing a great deal of that money. But there never was an idea more erroneous. The fact was this: in no case had the expense of superintendence and management under the Board of Works, including 3 per cent as the charge for implements, exceeded 10 per cent on the entire charge; this would be considered by no means an extravagant charge in the case of works conducted in the most economical manner by private individuals. He had no means of entering into the particular case stated by the hon. Member, but he was altogether incredulous as to these charges; he knew the utmost efforts were always made by the Board of Works to watch that branch of their expenditure, and he believed those efforts had been thoroughly successful. There could be no better proof of this than the fact that, exclusive of the 3 per cent for implements, the expense had in no case exceeded 7 per cent on the whole outlay; while he had seen it stated that the expense of the supervison of the board amounted to as much as 30 and even 40 per cent on the funds. With regard to placing public buildings, such as barracks, at the disposal of boards of guardians for the purpose of facilitating the relief of the poor, he believed in some cases this had been done; but he would inform himself more particularly on the subject.

Mr. SHAW had understood the arrangement with respect to the Irish Bills to be as the right hon. Gentleman had stated it; but he thought the Bill for constituting boards of guardians in Ireland was to go along with the permanent Poor Law Bill. With reference to the right hon. Gentleman's observations on the Board of Works, he thought much unjust imputation had been cast upon it. In such vast operations it was quite impossible everything could be done in perfect order and a completely systematic manner. The board had a very difficult task, and discharged its duty as well as could be expected under the circumstances. He took that opportunity of making one remark, not immediately connected with the Bill before them. He must repeat the warning he had before ventured to give, against suddenly discharging the immense number of persons at present employed on public works. He had received several letters from Ireland expressing much alarm on this subject. He was not opposed to the principle of gradually disemploying these persons, and restoring them to the cultivation of the land; but to do so suddenly would cause the greatest possible inconvenience and danger. From his own experience on a relief committee, he knew that if the works were suddenly stopped, the people would not know what to do; they could not all be thrown upon the soup-kitchens for support, though there would be no other means to resort to.

Sir G. GREY said, the letter of instructions to the Lord Lieutenant pointed out the views of the Government as to the mode in which the transition should take place. The letter contained express instructions against suddenly discharging large numbers of people. It was intended, as soon as it could be done consistently with those considerations that necessarily entered into this question, to discontinue the public works; but there was no intention of doing so simultaneously throughout the country.

Mr. HENLEY was aware of the impression existing, both in this country and in Ireland, of the great expense of the staff of the Board of Works. The statement of the right hon. Secretary for Ireland was precisely that given in the printed reports and papers before the House; but the imperfect figures given in those papers did not justify the statement made by the board, that the whole expense did not exceed 7 per cent, exclusive of the charge for implements. It would, therefore, be very satisfactory to the public if the right hon. Gentleman would consent to give the past expenses of the board in the form of monthly returns, distinguishing the money actually paid in relief, and the amount of the expenses of the board. There would then be no difficulty in judging whether these reports were well founded or not.

Mr. LABOUCHERE had no objection to lay before the House the fullest information on the subject. Would the hon. Gentleman move for the return in the form he wished, or would he leave it in the hands of the Government?

Mr. HENLEY would rather leave it in the hands of the Government.

Mr. S. CRAWFORD reminded the right hon. Secretary for Ireland that he had not alluded to the statement of the hon. Member for Limerick, as to the low amount of wages paid on some of the Government works—no more than 8*d.* per day. It was impossible a man and his family could subsist upon that, and the consequence was, the people were forced to come on the other modes of relief. He trusted the Government would take this point into consideration, and inquire what the wages were, and see that they were enough for the people's support.

MR. LABOUCHERE felt obliged to the hon. Member for reminding him of the point; the fact was, the Government had endeavoured to introduce as far as possible the system of paying by task-work; and he was prepared to say, so far from the wages being only 8*d.* a day, some men earned as much as 1*s.* 2*d.*; of course, there might be cases in which men being indolent, or not working properly, might not earn more than 8*d.*; but, in general, the wages paid were much more.

MR. J. O'CONNELL believed that in some cases the people were so weak that task-work became inapplicable to them.

Bill read a third time.

CONVICTS AT WOOLWICH.

MR. T. DUNCOMBE wished the right hon. the Secretary of State for the Home Department would allow him to ask a question relative to the returns for a copy of a report made by the superintendent of convicts, to Her Majesty's Principal Secretary of State for the Home Department, respecting the treatment of convicts in the hulks at Woolwich, moved for by the Under Secretary (Sir W. Somerville). He wished to know whether that report was made in consequence of the statement he had made in that House, respecting the treatment of the convicts at Woolwich, about a month since. He hoped, when the return was laid on the Table, that it would be accompanied by a copy of the letter addressed by the right hon. Baronet (Sir G. Grey) to the superintendent of convicts, on which the report was founded. He also wished to ask the Secretary of State if he had observed that a coroner's inquest was recently held at Woolwich on two unfortunate convicts, and that the coroner and Mr. Bossy stepped out of their way at that inquest to investigate certain charges which he had thought it his duty to make in his place in Parliament against the surgeon of that establishment. In the middle of this investigation, Mr. Carttar, the coroner for West Kent, suddenly, as he was informed, called for Mr. Bossy, and put certain questions to him as to his treatment of some prisoners who had died on board the hulks. One of the jurymen, as he understood from persons who were present, asked if the jury were to inquire into the case of death before them, or into past cases, and Mr. Carttar then stated he was in the House of Commons when the hon. Member for Finsbury made certain charges against the surgeon of the establishment—that he felt these charges were false—and that his great object was to call and acquit Dr. Bossy, if he could. There was then a sort of mock trial between Mr. Carttar and Mr. Bossy—the latter being the only witness called. Now, not to say anything of the irregularity of the proceedings, and to pass over the turning of a coroner's inquest into a court of investigation of charges made in that House, he would just say—and he would say it advisedly—that Mr. Carttar was the last person in the world whom he would wish to appoint as investigator or judge, if he wanted a fair and honest investigation, and that Mr. Bossy was the very last person he would call upon as a witness to inquire into charges made against himself. He had received several communications lately, from which he understood that complaints were made against him for only half-stating his case as to the cruelty with which these unfortunate men were treated. He was shocked to find that on the Saturday after his speech, Mr. Capper—"young Mr. Capper" as he was called on board the hulks—who was a grocer in the Strand—went down to Woolwich, and persecuted, and bullied, and intimidated those unfortunate convicts who had, as Mr. Capper thought, given him (Mr. Duncombe) the information he had laid before the House. Mr. Capper stripped some of them and took away their pencils and papers, and on Saturday last visited them again, and acted in the same way. As to the investigation before the coroner's inquest, he could only say he had never heard of some of the people alluded to there, and had never mentioned the names of others; but passing over the irregularity that had been committed, he thought it due to himself to say he was prepared to prove all and even more than he had stated as to the treatment of the convicts, if the House would give him a Committee of Inquiry, or if the Government would give him a commission to investigate the matter fairly and impartially. He wished to know if the Secretary of State would lay on the Table, along with those returns, his instructions to the superintendent, and immediately put the House in possession of the annual report of the superintendent of the convicts at Woolwich, as he had the power to do, and as he ought to have done. Under the Act, the superintendent's report should be made half yearly to the Home Office, and annually to Parliament immediately after it had assembled. He would like to see it as soon as possible. It ought to have been laid before the House some time ago.

Sir G. GREY begged to inform the hon. Member that the day after the discussion as to the treatment of convicts at Woolwich took place in the House, he felt it his duty to address a letter to Mr. Capper, inclosing him one of the morning papers which contained a report of some statements said to have been made by an hon. Member of the House, and calling on him, under the authority of the Act, to furnish him with a full report respecting all the statements contained in the paper, so far as he could investigate them. He had since received a report in compliance with that letter, and wishing to put the House in possession of it, the Under Secretary of State had made the Motion to which the hon. Member referred. As to the annual report presented by Mr. Capper, he had ascertained it had not been presented to the House. He was sorry the hon. Member had made the observations which had fallen from him respecting Mr. Carttar. The hon. Member appeared better informed as to what had taken place at the inquest than he was, as he had no information on the subject except from the public papers. It occurred to him, on reading those accounts, that Mr. Carttar had exercised a wise discretion—after the statements which had been made respecting the treatment of the convicts—in calling on some of the most eminent medical men in London to give evidence with respect to the course of treatment which had been adopted, and to sift the circumstances which had attended the death of those convicts. As to the general character and conduct of Mr. Carttar, he had no information. The hon. Member might or might not be justified in speaking of him as he had done; but he (Sir G. Grey) had no authority to investigate the charges preferred against him by the hon. Member.

ROMAN CATHOLIC RELIEF BILL.

Mr. WATSON moved the Second Reading of the Roman Catholic Relief Bill. He had not, on introducing the Bill, made any statement of its contents, or given any explanation of the principles on which he asked the House to allow it to pass; and it was, therefore, now incumbent on him to detail the provisions of the measure, and to define the reasons why he trusted the second reading would be acceded to. The only circumstance which could have induced him to pause in the course he was taking was, the presenting that day of that very awful petition by the hon. Member for Birmingham (Mr. Spooner). It was an imposing document; but it was gratifying to know that the clamour raised by parties in Birmingham, and so expressed, was against one thing which was not in the Bill—that was to say, against the Roman Catholic bishops being permitted to take their titles from the sees of the Protestant bishops; and this fact might be some consolation to the petitioners. The principle on which he called upon the House to pass the Bill was very sound and clear; it was that no man should be subject to penal laws for the exercise of his religion; this was a broad and an intelligible principle; and the only question was, were the enactments he proposed to repeal, properly penal enactments, affecting their fellow-subjects in the exercise of their religion? The history of these penal enactments, of their mitigation, and, in some cases, of their repeal, was very curious; and it would be an instructive inquiry for the historian to elucidate the causes of the introduction of the penal laws against Roman Catholics and Dissenters, and to explain the slight grounds which were considered to justify such legislation. Sometimes it was because a Minister wished to flatter a Sovereign, and at other times it was because the Sovereign had in view some sinister purpose, that these measures were passed. The penal enactments, he sought now to repeal, commenced with the Reformation, and ended with the Revolution. So early as the reign of Edward VI., there existed some of these enactments; but the period most fruitful of such laws, was the reign of Elizabeth. From the death of Queen Mary to the close of the reign of Queen Elizabeth, the Ministers of that day seemed to have vied with each other who should most distinguish himself in passing vexatious and annoying penal laws against their Roman Catholic subjects. Bad as these laws were, the courts of justice seemed to have carried them out in a spirit well worthy of those by whom they had been introduced. The reign of James I. did not fall far short, in this particular, of that of Elizabeth. In the gloomy times of the Puritans, many others of these laws were passed; and in that most wicked reign, the reign of Charles II., under pretence of the fear of a Popish successor to the throne, further penal laws were again brought forward; and then they came to the Revolution, when another series of enactments were added, which were called the "Relief Acts." One of the Relief Acts was passed in the reign of William III.; another in the reign of George II.; and another in that of George III. These Acts were restricted by such conditions, that they did not effect the object in view; and there were some clauses introduced which, so far from operating as a relief to the Roman Catholics, pressed on them with still greater stringency on account of the exercise of their religion. They all recollected the history of the Catholic Emancipation Act, which ended in the Statute of 10 George IV. That Act had the effect of removing certain disabilities from Roman Catholics. It admitted them into Parliament; but there were several mysterious privisoes accompanying these privileges, which had been called "the safeguards of the Established Church." The penal laws still remained; the Act of 1829 removed disabilities, but it affected the penal laws only on certain conditions. They then came down to the present reign; and to this reign belonged the glory of having got rid of these penal enactments. In 1844, a measure was passed, first in the House of Lords, and then in the House of Commons, introduced to accomplish that object. Prior to that Act in 1843, he had in that House given notice of a measure of the same nature, proposing to repeal the various penal Acts of Parliament affecting persons on account of the exercise of their religion; but the first law by which they had removed some of those enactments, was the Statute 7th & 8th Victoria, passed in the year 1844. In the year 1846, another Act was passed to remove some remaining disabilities against Roman Catholics and Dissenters; and here he must say he should be paying a very bad compliment to the House and to the right hon. Baronet (Sir R. Peel), if he did not acknowledge the great assistance given by the right hon. Baronet and his Government in effacing those laws from the Statute-book. He (Mr. Watson) had then been in communication with several Members of the Government on the subject; and he was well aware of the great difficulties with which they had to contend, and the enormous prejudices they had to overcome in carrying out their object. It was with the very greatest pleasure he had heard the right hon. Baronet (Sir J. Graham) late Secretary of State for the Home Department state, at the time, his opinions in regard to the principles on which constitutional toleration was established, and declare that, so far as in his power lay, he would seek the repeal of every penal enactment interfering with persons in the exercise of their religion. There were very serious difficulties presented to the proposed legislation there and in the other House; and, plain and simple in principle as was the Bill which he now moved should be read a second time, he had no doubt they would again hear expressed many doubts of the wisdom of passing such a measure. They might judge of the obstacles to their course by the petition presented by the hon. Member for Birmingham. They might be astonished that any great number of persons in this country should, at this time of day, because an Emancipation Act had been passed in 1829, ask that House to go no further, and to permit those penal laws to remain which inflicted death and punishments of the severest character for crimes and offences altogether ideal. The history of the past furnished them a lesson, and showed them how inexpedient it was to pass laws unnecessarily affecting any class of their fellow-subjects, more particularly on the subject of religion. The day would come when all wise persons would be agreed upon repealing such laws; but then there was the greatest difficulty in surmounting the prejudices they had fostered. Without further preface, he would proceed to explain the Bill now before the House. When he pressed this question on the attention of the Legislature, in 1845, the right hon. Baronet (Sir J. Graham) submitted it to several gentlemen of the highest eminence in the law—Sir E. Ryan, late Chief Justice in India, the late Mr. V. Richards, Mr. Bellenden Kerr, and Mr. Starkie—all conversant in the statute law of this country—to report on the penal laws affecting religion. The result was one of the most valuable reports on the subject ever submitted to Parliament. These gentlemen investigated the whole subject, examined the clauses of the penal laws, traced the causes in which they had originated, and inquired how far it was wise and discreet to repeal that body of laws. The Commissioners were wholly unconnected with the political part of the question, merely looking at the Statute-book as lawyers, and reporting upon the effect of particular laws; and they strongly recommended that all the penal laws still in existence, and passed prior to the reign of George IV., should be repealed. They made some exceptions as regarded the restrictions of the Act of 1829; they said this measure was of a political nature, and, as it then underwent much consideration, and had only been passed thirteen or fourteen years before, they did not deem it prudent or respectful, on that point, to offer any advice to the Ministry. The first Act of Parliament which he asked to be repealed, was the Statute of the 1st of Elizabeth, c. 1. This Act provided, that if any person should deny, by word, writing, or otherwise, the supremacy of the King, his power, authority, and pre-eminence, in any part of the kingdom, for the first offence, such person should be liable to imprisonment or forfeiture; for the second offence, to the penalty of *premunire;* and for the third offence, as high treason, to death. They found that Act, shortly after it was passed, carried out in this way: An old doctrinal book of the Roman Catholic church had been said by a person to be a good book; and, in the 10th or 11th year of the reign of Elizabeth, this person was convicted at Winchester before Chief Baron Manwood, under this Act, and imprisoned. He was called up two years afterwards by the same Chief Baron then on his circuit, and, having answered that he was still of the same opinion, he was again found guilty, and sentenced to the penalty of *premunire.* He was brought up a third time, and for the third offence he was sentenced to death, and, the judges having approved the sentence, he was executed. The Acts of 1844 and of 1846 had repealed that enactment to a certain extent. The penalties introduced into that law, such as forfeiture of goods, the penalty of *premunire,* and punishment by death, were all repealed; but the offence, as there defined, still existed, and persons guilty of committing the offence, as it was still considered, were liable to be indicted and punished according to the common law, and imprisoned for a misdemeanour. By the common law of England, an offence prohibited by Act of Parliament, and no punishment prescribed by that Act, was indictable and punishable as a misdemeanour. The law was perfectly clear in that respect; and thus, as the Act of Elizabeth now stood, and as affected by the Acts of 1844 and 1846, the party guilty of an offence under the 1st of Elizabeth was still liable to indictment and imprisonment. The hon. Baronet below him (Sir R. Inglis) would argue that the supremacy depended on that Act of Parliament. The matter had been discussed in the other House of Parliament; and on that occasion Lord Lyndhurst, in a most able and conclusive speech, proved beyond all doubt to every man open to conviction, that this Act did not establish the supremacy, and that the supremacy did not depend on that Act. The supremacy of the Crown of England depended on the common law of England. In a case which every lawyer was familiar with (Cowdray's case reported by Lord Coke), the authority of Lord Coke was added to that of the judges, that the supremacy of the Crown was part and parcel of the common law, and that the King of this country was always supreme in matters ecclesiastical. Lord Coke says—

> "By the ancient laws of the realm, this kingdom of England is an absolute empire and monarchy, consisting of one head, which is the King; and of a body consisting of several members, which the law divideth into two parts, the clergy and laity, both of them, next and immediately under God, subject and obedient to the head."

There was, in corroboration, the authority of that most excellent lawyer and estimable Christian judge, Sir Matthew Hale, whose name was never to be mentioned, here or elsewhere, without respect. Sir M. Hale, in his history of the common law, declared that—

> "The supremacy of the Crown, in matters ecclesiastical, is a most indubitable right of the Crown, as appeareth by records of unquestionable truth and authority."

Sir M. Hale investigated the laws of this country with an accuracy never exceeded before or since. He was pre-eminently a Christian judge, and most careful in questions of a religious nature; and, as Lord Coke before him, laid it down that the supremacy of the Crown was indissolubly dependent on the common law. By the Statute of the 16th of Richard II., c. 5, the supremacy of the Crown was expressly recognized; the supremacy was not then originated or created, but admitted. Two Acts of Parliament, passed in the reign of Henry VIII., c. 21, and c. 24, were declaratory of the supremacy of the Crown, setting forth that, "by sundry and authentic histories and chronicles, it was manifestly declared and expressed the Sovereign was the supreme head of the Church." It was, therefore, doubtless that the supremacy did not rest on the Statute of Elizabeth which he sought to repeal; but that it was dependent on the common law, confirmed and declared by the Acts of Henry VIII. and Richard II. That being so, why was that Act of Elizabeth passed? It was to prevent the exercise of the Roman Catholic religion. Every Roman Catholic, in matters of doctrine, and when considering the rights of the Church, maintained the Pope to be the spiritual head of their Church; but they did not pretend that in matters ecclesiastical, and as regarded the constitution of England, he possessed, or ought to possess, supreme power. The Statute was passed only to create the offence, which consisted in acknowledging the Pope as having authority in spiritual and doctrinal matters. The Commissioners appointed by the late Government suggested the repeal of this Act, and gave very satisfactory reasons why that should be done. They pointed out the inutility and injustice of attaching penalties to persons for the exercise and maintenance of the ritual and doctrine of their own faith; and they submitted an opinion that the provisions to which reference had been made, in the 1st of Elizabeth, c. 1, ought to be repealed. He thought he had now offered very conclusive reasons why this Act of Parliament should no longer remain on the Statute-book. The Commissioners had referred to several other of the penal laws. There was one law forbidding a bull to be sent over to a Roman Catholic bishop; he would ask what danger there was to the Protestant constitution of England, if the Pope should send over a bull or command to every Roman Catholic subject here? Another Act was passed, respecting the form of prayer; and this was suggested to be repealed. The absurdity of continuing such a law as affecting Roman Catholics, had been pointed out repeatedly; the object when it had been passed was to preserve, what was very desirable, uniformity of worship; and the enactment was then justified by the attacks made both by Rome and Geneva on the form of prayers in the Church of England. The 25th of Charles II. was the Recusant Act; and there was another penal law also passed in the reign of the same monarch. There was also the Act of the 8th of William III., c. 24. The last Act had not been noticed by the Commissioners, and he believed that he had omitted to mention it in the Bill submitted to them; but, as purely a penal enactment, he proposed to have it repealed. The 31st of George III., c. 32, was one of the Relief Acts. The purpose was to give relief; but, as the conditions which were imposed, could not be complied with, no relief was given. He proposed to repeal those restrictive conditions, and to give the relief as intended by that Act. He now came to the only debatable part of the Bill—the mode in which he sought to deal with the 10th George IV. He knew that many persons, and, among others, that the hon. Baronet (Sir R. Inglis), looked upon that as a law of the Medes and Persians—one which ought never to be altered. It was passed as a Bill which was to remain to all eternity on the Statute-book, however much the opinions of mankind might change. However the policy of the country might vary, this measure was to remain untouched. It might become necessary to amend or repeal other laws; but they were forbidden, through all time, to meddle with this standing safeguard. He, however, desired to repeal some of the clauses in that Act. Some qualification of the Bill in its present state might be necessary, but that would be for consideration in Committee. One of these clauses had reference to the prohibition of certain ceremonies. No one would deny it was very offensive to the public to see a religious procession, either of Catholics, Protestants, Jews, or Hindoos, passing through the streets of any town in this country; but he did object to the restrictions placed upon the liberty of the Roman Catholics to comply with the ordinances of their religion in funerals, or in proceeding to places of burial. Some limitation, he acknowledged, must be put upon the clause, if it was allowed to stand at all. He did not think any ceremonial in the public streets should be legalized; but he certainly was of opinion that the law might be altered advantageously. He did not believe it was desirable that public processions should be seen here, as on the Continent; but that was a question for the Committee. The principle of the Act was not involved in the alteration he suggested. The last clause of the Bill referred to the regular clergy of the Church of Rome. There was nothing in the Relief Act of 1829 affecting the secular clergy of the Church of Rome; it applied only to the regular clergy. This was supposed to be one of the safeguards. He had taken some trouble to discover the hidden meaning of that word; and he doubted if it were applicable as a definition of some of the superfluous clauses of the measure of 1829. The constitution must stand on a very sandy foundation, and the

Protestant Establishment, for which he had the greatest respect, be in great need of protection, if those small safeguards were required. The Bill forbade some of the ministers of the Church of Rome to act as parochial clergy, or to administer to the spiritual wants of their people. How, or in what manner, they could be a safeguard to the constitution, he could not conceive; yet all persons who were bound by monastic vows, and Jesuits and other religious bodies, were subject, by law, to be banished for life for being in this country. The law on that subject, as laid down in the 10th of George IV., was declared to be for "the gradual suppression of Jesuits and other members of monastic orders, bound by religious vows." And it provided that those who were in Great Britain or Ireland at the time of passing the Act might remain, and that those who were abroad under monastic vows, being British-born subjects, would have the liberty to return to this country within a period of six months, and might remain and practise their religious duties; but it was only those of the regular clergy who came into the country within a period of six months that were allowed to be in this country. With regard to all others, the law was, that any person who came from abroad into this country, whether a subject or a foreign regular, or any person bound by monastic vows, after the passing of the Act, was subject to be indicted and punished by banishment for life; and after banishment, if found in this country, they were liable to be transported for life. Now, it was a curious fact that banishment was a punishment unknown either to the common or statute law of this country. It was formerly known to the law of Scotland, where the practice was to banish parties from that kingdom; but it was not a punishment recognized in England. Now, by this enactment many pious men, and men of science and letters too, such, for example, as might be found among the Jesuits, were liable to be banished from this kingdom. He knew what ideas the word "Jesuit" carried along with it to many persons in this country; he knew the alarm which the existence of such a body was calculated to create in many quarters; and how, as on the hustings at Birmingham, it had the effect of frightening old ladies. But the House must not allow itself to be carried away by such fancies as these. Jesuits had, no doubt, done some harm, but they had also done some good in the world. They had ever been the constant source of annoyance to foreign Governments, and absolute Governments had ever exhibited great fear of the Jesuits and other monastic bodies; but he did not know of any free Government where the presence of the Jesuits had been productive of the least harm. In England it was well known that our Catholic fellow-subjects were educated at Jesuit colleges; and yet no one ever entertained the idea of danger from such a circumstance; for every Member of that House knew that they were accustomed to meet Roman Catholics as well informed and as well taught as any persons among their Protestant brethren. There were among the classes excluded by the Act many learned persons who spent their time in literary occupations, in the researches of history, such as the Benedictines; and there were also many who came to this country, who spent their days in works of charity, and in the exercise of their religion. The law said these persons must be sent to foreign countries; but the fact must be known that those persons were in this country, and that they formed a very numerous class. Many of them would be found amongst the parochial clergy in Ireland, and were the spiritual advisers of a large body of our fellow-subjects; and he only asked the repeal of the present enactment to enable them to remain in the country without any breach of law. The hon. Baronet below him (Sir R. Inglis) would say that it acted as a safeguard; but he could not see how. He had studied the Act of 1829, and he had read the speech of the right hon. Baronet (Sir R. Peel) on that subject; and he trusted that right hon. Gentleman would forgive him for saying—he meant nothing offensive by the remark—that he could not collect from that speech any reason why this banishment clause was retained. It had been remarked at the time by a noble Lord still a Member of that House, that the clause respecting the regular clergy of the Church of Rome was a piece of legislation worthy of Russia. He asked the House to look at the reasons which he had laid before them for the repeal of the various enactments to which he had drawn their attention; and he was satisfied they could come to no other conclusion than that it was high time they were repealed. An argument had been used of this kind—that these enactments had become obsolete, and therefore we should let them alone; but he thought they ought not to expose persons to the danger of violating criminal laws which they might not be aware were in force, and then impose upon them the necessity of coming to that House for protection by means of indemnity; and the House knew that Indemnity Acts had from time to time been passed. It was most unwise to leave criminal laws in force, at the enforcement of which all persons would revolt. If it was the feeling of the age in which we lived to consider these laws obsolete, and such as ought not to be put in force, then they ought at once to be repealed. He did not ask this as a concession to Roman Catholics, but a concession to Protestants. Do not let it attach as a disgrace to Protestants, who professed greater liberality in matters of religion than their Roman Catholic brethren, and who asserted the freedom of every man to the honest expression of his religious sentiments—do not let it attach to them as a disgrace, that they permitted enactments such as these to remain on the Statute-book. He moved the second reading of the Bill.

Sir R. H. INGLIS said, the hon. and learned Gentleman commenced his address to the House with something like an attack upon his (Sir R. H. Inglis's) hon. Friend the Member for Birmingham (Mr. Spooner); a Gentleman who, he was happy to say, was a strenuous supporter of that cause to which he (Sir R. H. Inglis) was most sincerely devoted; and one of the men whom he was glad to see prepared to give their decided opposition to this Bill. The attack upon his hon. Friend was on account of his having presented a petition from his constituents at Birmingham against the Bill now on the Table of the House. Their defence, if it were needful to make one, was a very simple one. They complained of a clause in this Bill, which, it now appeared, was not in such Bill; but which the hon. and learned Gentleman who had brought in the Bill, had by inserting it on former occasions in other Sessions, deemed to be necessary, and the omission of which in the present year he had not announced. The petitioners, therefore, gave him credit for acting this year on his principles of last year. He therefore held that the hon. and learned Gentleman had no grounds for attacking the constituents of the hon. Member for Birmingham. The petition in question had been courteously described by the hon. and learned Gentleman to be an emanation from "the old women of Birmingham;" and he had said that his hon. Friend had been induced to present it because he would have to meet those "old women" on the hustings; but the hustings was not a place where "old women" generally appeared. The hon. and learned Gentleman, great as he was as a lawyer—and he believed all men admitted him to be a man of great eminence at the bar—had yet not been, he would venture to say, quite so successful as an historian; he had been misled by the attractive alliteration of "Reformation" and "Revolution." He said the penal laws arose at the Reformation, and terminated at the Revolution; but he thought that the hon. and learned Gentleman's memory might have been supplied with the cases of statutes of more recent date if he had carefully studied this subject. Some of the most offensive penal statutes which were passed against the Roman Catholics of Ireland, were passed long after the period of the Revolution. Although it had not been admitted by the hon. and learned Gentleman in the course of his speech, yet it was a fact that during the last Session of Parliament many of the laws of which he complained had been abolished *totidem verbis* by a Bill which had been introduced under the advice of the chief law adviser of the Crown. He alluded to the 1st Elizabeth, cap. 1, and to the 13th of Elizabeth, cap. 2, which were, in his opinion, substantially repealed by the 9th and 10th Victoria. But even admitting that the celebrated Act of the 1st of Elizabeth, cap. 1, had not been repealed by the Act of last Session, he held that the hon. and learned Member was quite inconsistent with himself in those magnificent and magniloquent expressions which he had used when he asked the House to pass this measure, not as a concession to Roman Catholics, but to Protestants. If it were true that in matters ecclesiastical, by the common law of England, the Sovereign of these realms were supreme, he maintained that whatever the force of the Statute of Elizabeth might be, the hon. and learned Gentleman would leave open, by this Bill, the whole of his Protestant fellow-subjects to the consequences of offending against it; whilst the Bill on the Table of the House would protect all Roman Catholics from all manner of penalties. By this Bill it was proposed that, as far only as regarded Roman Catholics, the penalties of the Act of Elizabeth should be repealed. So that whilst the Roman Catholics, whom the hon. and learned Gentleman had taken under his especial care and protection, would be saved from the penalties of that law, Protestants would still be liable to the punishment for an infringement of the common law. The hon. and learned Gentleman had been compelled to go back to the early period of Queen Elizabeth, for the purpose of showing a single instance in which there had been any punishment inflicted in respect of an infringement of these penal laws on the part of Roman Catholics. And that famous case which had been tried at Winchester, might perhaps have been supplied by the hon. and learned Member for that city (Mr. B. Escott), whose name also appeared upon the back of this Bill. If there could be any doubt as to the infrequency of such cases, surely the research of those two hon. and learned Gentlemen would have enabled them to have produced more recent instances in which the vigour and the rigour and vengeance of the law had been exercised upon Roman Catholics on account of infringements of the laws of Elizabeth. He apprehended that in point of fact there had been no such instance. He did not presume to deny that there had been, because he had not the same means of research as the hon. and learned Member for Kinsale (Mr. Watson), or his hon. and learned Friend the Member for Winchester (Mr. Escott); but he apprehended that there had been no single instance of a penalty inflicted for a violation of the laws in question since the time of the sentence pronounced by Chief Baron Manwood, two hundred and fifty years ago. When the hon. and learned Gentleman then said that he wished to repeal the 1st of Elizabeth, and that such a law ought not to remain any longer upon the Statute-book, he must repeat to the hon. and learned Gentleman, that his own measure proposed to give relief only to a portion of Her Majesty's subjects—the Roman Catholics, whilst the law remained in full force against another—the Protestants. The hon. and learned Gentleman had greatly depreciated the value of those securities to the Established Church, which were connected with the Emancipation Act. He, for one, did not regard those securities as of any great value; but still they were tendered and accepted as valuable by the great body of the people. [Mr. GOULBURN: Hear!] His right hon. Friend the Member for the University of Cambridge (Mr. Goulburn) acknowledged, he believed, that in that statement he was not incorrect. On a former occasion he had risen with more disadvantage to oppose the measure, because he was of course unaware of the then future decision. But now he called on the House to confirm the decision which they had come to on this subject in the last Session. He did not ask them merely to act in accordance with the Act of 1829; but he did ask them to act in accordance with their recorded votes of the Session of 1846, in which this Bill was defeated by a majority of 120 to 80. All the Members of Her Majesty's late Government, who at that time were present in the House, and some of whom he then saw before him, voted with the majority upon that occasion. With regard to what had been said by the hon. and learned Gentleman in depreciation of the securities in question, as not being any real securities, he doubted whether there were at this moment in Christian Europe a country in which such securities were not taken and enforced. He would ask the House whether this were a time in which it was fitting that there should be introduced into the country such measures as these, which professed to take under their especial care the practising of religious rites by Jesuits, and other orders of the Church of Rome? He believed that there was no country into which Jesuits were admitted without some notice on the part of the civil Executive of their numbers, residence, and general subjugation to the authority of the time and place. The measure—he would not say the compromise—of 1829, was admitted by the right hon. Baronet, then the leader of the House, who introduced it, to be the result of considerable discussion and reflection; and in the course of a speech which he made in support of it, he used the expression that "he did not mean to fritter away the security which these clauses gave to the institutions of this land." He called upon the House, then, not to "fritter away" such securities, imperfect as they were, but to retain this power in the hands of the Executive, little as it had been acted upon since the period when it was first granted. He said, "little as it had been acted upon," because he knew, that though Sir Frankland Lewis had said, at that time, that there were only two Jesuit institutions in this country, Stonyhurst and Clongowes, the number had greatly increased since then. And when he tried by a Motion at a subsequent period to produce upon the Table of the House an exact return of the number of Jesuits in this country, together with their residences, &c., his noble Friend (Lord Morpeth), now First

Commissioner of Woods and Forests, but then Chief Secretary for Ireland, in answer to such Motion, said, that the Government had not provided itself with the means of obtaining the information which he required. He would, therefore, say, that instead of repealing the security which the law at present provided against Jesuits, and the monastic orders of the Church of Rome, they ought rather to strengthen the hands of the Government in enforcing the law against the members of those religious orders whom the hon. and learned Gentleman proposed to admit into this country without let or hindrance—without even the small restriction which was imposed by the present law. The Act of 1829 provided, as was said by Sir F. Lewis, "ample security" against the increase of Jesuits in the United Kingdom. Now, he asked, whether the "ample security" which had been provided had been found to be sufficient? He asked the House to make no further concessions, by which a more easy access might be given to Jesuits and members of other religious orders coming into this country and performing their religious rites. He thought that it would be more consistent with the duty of the Legislature, and more consistent certainly with the spirit of that great compact which was entered into at the time of the passing of what was called the "Roman Catholic Emancipation Bill," to render it more difficult, and he wished he could say quite impossible, for the order of Jesuits, to exist in this country. It was certainly understood at that time that no monastic orders should be permitted to be formed or exist in this country without the sanction of the Secretary of State for the time being; and that the Jesuits, as a body, were to be gradually extinguished, and no British subject was to be permitted to enter into their community. He admitted that the Bill of the hon. and learned Gentleman, as it at present stood, was less objectionable than it was in some respects in the Session of 1846. It was less objectionable, inasmuch as it certainly did not contain that provision for the assumption by Roman Catholics — of the bishop of Armagh, for instance—of the title of the Protestant Primate of all Ireland. It did not permit a Roman Catholic bishop to call himself "Bishop of London," even if the succession had not been interrupted in England, nor did it permit him to call himself "Archbishop of Canterbury." Some concession had, therefore, been made in the present Bill to the public feeling in this country on this subject. But it was obnoxious in other respects. Even its framer must admit that one of the most important provisions in the Bill could be altered advantageously. The hon. and learned Gentleman had said, that it could be altered in Committee; but he held that it involved a great principle, and that they should not, therefore, leave it to take its chance in Committee. The subject he referred to was this: one of the enactments proposed to be repealed was that which declared—

> "That if any Roman Catholic ecclesiastic, or any member of any of the orders, communities, or societies, hereinafter mentioned, shall, after the commencement of this Act, exercise any of the rites or ceremonies of the Roman Catholic religion, or wear the habit of his order, save within the usual places of worship of the Roman Catholic religion, or in private houses, he shall forfeit 50*l*."

This part of the Bill, which, by repealing the enactment he had read, went to legalize processions, the hon. and learned Member said might be altered. He (Sir R. Inglis) considered this a principle, and he objected to it on principle. He said, that if, in Ireland, ecclesiastics and members of the Established Church were prohibited from walking in procession, you ought not to give to the members of a hostile church a privilege which was denied to those of the Established Church; and, although the hon. and learned Member said, he would limit the phraseology of the Bill so that it might apply only to funerals, and to those of even all religions, Hindooism and Mahomedanism—he (Sir R. Inglis) did not know whether those for whose benefit his Bill was intended, would thank him for the comparison — the hon. and learned Gentleman must know, that in these processions the crucifix would be carried; and he would ask the hon. and learned Gentleman whether he were prepared for such scenes as would certainly arise if such processions were permitted? That very morning he had read an instance in which a Roman Catholic ecclesiastic had addressed a converted Portuguese, and required him to adore the crucifix; and when the man refused to take off his hat, had knocked his hat off. He asked whether such scenes could be tolerated in this country or in any other country enjoying the most liberal legislatures? He knew that the hon. and learned Member for Cork (Mr. O'Connell), who understood these matters better than any other individual, not excepting the hon. and learned Member for Kinsale himself, had said he could never suppose such acts would occur in any this country; but unless these things were prohibited, they must be left to the individual discretion of the priest himself; and we might have exactly such scenes as he had stated in our own country, arising from the obtrusive production of the sacred Emblem, which might stir up objection and resistance on the part of the great majority of our population, who, he believed, were still uncorrupted, to the Church of Rome, and that they held as the high privilege of this country their connexion with the pure Protestant Church. Such scenes, therefore, he should deprecate. England was almost the only country in which the Jesuits would be admitted without being under the control of the State; if there were any exception, it was that country which no man in England would admit was a proper example for us to follow, he meant Belgium. In France, where there were what the hon. and learned Gentleman would call liberal institutions, no Jesuit would be so admitted; and if a proposition were made for removing this restriction, would not the most liberal, or the least liberal, Member of the Chamber of Deputies speak against the abolition of such a provision? The hon. and learned Member had referred to an Act, the 9th and 10th of Victoria, which he (Sir R. Inglis) regretted had passed, to repeal the laws against the introduction of bulls and rescripts, and other articles of the Church of Rome. He regretted that those laws had been repealed; he happened to be absent from Parliament at that time, and he was not cognizant of the fact that such an Act had passed until he read it in his inquiries respecting the present Bill. He expressed his unfeigned regret that those by whom that Act had been introduced, should have felt themselves at liberty to propose the repeal of the penalties for the introduction of bulls and rescripts from Rome. There was but one country in Europe in which the Pope could issue his bulls without the previous sanction of the Executive Government; in all other States, whether the Government were despotic or of a liberal form, the previous sanction of the Executive was necessary before a bull from Rome could be introduced into a foreign country. The hon. and learned Member had thus already been a party to a measure by which this security was withdrawn. He (Sir R. H. Inglis) should himself have objected to the withdrawal of a security which other countries derived from the prior sanction of their own Government to the introduction of Papal bulls. There were other securities which he recollected the hon. Member for Winchester (Mr. B. Escott) had last year called "the securities of the dark ages." Those securities the present Bill proposed to remove. He remembered telling the hon. Member, that when the Act of 1829 was introduced, it was expressly stated that the remaining securities were retained for the protection of the Protestant religion. Whether Parliament would, after so brief an interval, repeal all those securities, the result of the division that day would show. He called upon the House to confirm its decision of last year, and continue those securities to the Protestant Church and the established religion of this country which were left in 1829, tendered as they were by the advocates of that measure as securities, and so accepted by its opponents. With these feelings, he should move that the Bill be read a second time that day six months.

Mr. B. ESCOTT said, when a Bill having the same object as that now before the House was introduced last Session, he had asked, as pointedly as he could, his hon. Friend the Member for the University of Oxford to state as distinctly as possible what was the principle on which he opposed the Bill, and whether he opposed it for the sake of conferring additional security on the Church as established in the United Kingdom. His hon. Friend did not then ground his opposition to the Bill on the reason that the penalties sought to be abolished were necessary for the maintenance of the Established Church, nor had he done so now. The hon. Member for Birmingham had presented a petition, and those who signed it undoubtedly said that the maintenance of those penalties was necessary for the maintenance of the Protestant Establishment. But his hon. Friend said no such thing. He said he stood forward in the maintenance of the same great cause of which the hon. Member for Birmingham was the consistent advocate. Now what was that cause? He wanted to know what was the great cause to be supported by the maintenance of pains and penalties on account of religion. He wanted to know what was the practical good which accrued to the country from maintaining them. What did they do? They did not prevent conversions to that which his hon. Friend called, with no very choice phrase, a hostile Church; for these were going on every day; you could not take up a newspaper without reading of them. They did not raise any fund by which new bishoprics could be erected, or the pastoral destitution, of the existence of which they often heard so much, remedied. Did they make a single man wiser, more just, more pious, or a better subject of the Crown? If not, why should they be maintained? He would tell them why. They were retained for nothing else than to gratify a certain bad spirit and malignity of disposition, which existed sometimes in the very best men, and which was never gratified except when they had the opportunity of teasing their fellow-creatures. He read that morning the speech of a very famous man—Cromwell—in which he reproached a Parliament which did not answer his purpose. Amongst the most grievous charges he brought against its leading Members, the one on which he seemed to lay most stress was, that they never could rest quiet in their beds unless they had some opportunity of tormenting their fellow-creatures in matters of religion. His phrase was, that there were some men who never could be peaceful and happy themselves unless they could put their fingers on other men's consciences to pinch them there. At this moment, go where you would among the clergy of the Established Church — Dissenters—Catholics—amongst any single body of the people—he ventured to say you would not find a man in one company who would stand up to defend those penalties. Well, then, why were they to be maintained? His hon. Friend said it was part of the compact entered into in the year 1829 that there should be certain securities for the Established Church provided, which they were bound in 1847 not to touch; but he wanted his hon. Friend to show how these laws were any security at all. If it could be shown that they were really securities, well and good; but let him not be told that a law passed in 1829 could not be altered in 1847. What had they been about? They had been altering laws passed in 1829 for the benefit and with the sanction of the people; and had they not done so, had they told the country that those laws could not be altered because they were passed more recently than 1829, they would have gone back to their constituents in the summer with very different faces than they might now put on. The Act of 1829 was a great act of grace, toleration, and justice. Why should they not endeavour to find out something better in the Act than the remnant of persecution it left behind? He praised the Act of 1829 for the good it did, not for the little evil it left standing. The objects of this Bill were to perfect that good work—to cure the Act of its imperfections. When they listened to the prayers of those who sought relief by this Bill, it did seem very extraordinary that in such a day as this, in such a state of Europe as this, such a Bill should be resisted by any large or respectable portion of the House. It had always seemed to him very astonishing that any able statesman should seek to degrade for one moment in the eyes of his countrymen the professors of the faith of the greater part of Europe. He could not understand on what political grounds, or grounds of justice and expediency, that was a proper course. But still more did it seem to him extraordinary, that those who respected antiquity, who were always talking of the wisdom of our ancestors, and seeking to make men of former times the models of public men at the present moment, should wish to revert to times when bulls and missives were dangerous, though they had long ceased to be so, and were now rather objects of ridicule than fear. He said, that it was extraordinary that they should make that a ground for continuing those penalties on their fellow-subjects. His hon. Friend said these were obsolete provisions never put in practice. Well, but if they were never put in practice, what was the use of them as securities? What was the use of your shields and weapons of defence, if they were to be hung up and never used when the time of danger came; if they were never called into operation; and if that fact were to be made the very ground of retaining them on the Statute-book? He said that was insulting to common sense, and nothing else. This seemed to him a time unfortunately chosen for opposing this Bill. There never was a time at which it became them more—at which it more became those who respected the high station and dignity of persons possessing great power throughout Europe—to be more careful to do nothing to cast any stigma or disgrace on those who merited well at the hands of free Governments, than at this moment. He wished his hon. Friend would not look back at the days of Queen Mary, or the interdicts, or even further—he wished he would look at one who now sat in St. Peter's chair. He wished his hon. Friend would learn from that personage, how a man, whom he was disposed as Pope politically to degrade, was now teaching a lesson to the sovereigns of Europe, and exhibiting maxims of government which distinguished him far above other contemporary potentates. Perhaps from that example his hon. Friend would learn that it was not the profession of any particular creed that made a man a wise or good statesman, or a worthy ruler over a great people. He knew that the final success of the Bill this Session depended upon the conduct of certain Gentlemen in that House, over whom he felt he had no influence, and of whose conduct, except as public men, he had no right to speak. But he did trust that Her Majesty's Ministers would not, upon their own principles, be averse to the passing of such a measure as this. He was sure, after what he had heard from the noble Lord at the head of the Government, having often listened to speeches of his that bore directly or indirectly on questions of this nature, he must be willing to lend his assistance at once to blot out from our code of law enactments which were a disgrace to it. He thought that such men as the right hon. Gentleman the Member for Tamworth, and the right hon. Gentleman the Member for Dorchester, and his right hon. Friend the late Secretary at War, must be anxious to attain the same object. He could not suppose they had any fellow-feeling for anything like religious persecution; and he remembered with gratitude, when he had to perform the duty, now so much better performed by his hon. and learned Friend, of moving the second reading of this Bill, the right hon. Member for Dorchester (Sir J. Graham) immediately rose and said he would support the principle of the Bill, on the ground that it was an extension of the principle of toleration. He could not suppose that the noble Lord the Member for Lynn could have the slightest feeling opposed to any such measure as this. He heard a short time since, some remarks made on previous votes of that noble Lord. He rose then, but he had not an opportunity of speaking; it was his desire to have said that the noble Lord the Member for Lynn (Lord G. Bentinck) was one whom he believed to be entirely in advance of the greater number of his party on this and other questions. The noble Lord the Member for Lynn would soon prove himself the Peel of 1847. The noble Lord had always advocated liberal measures, and the removal of restrictions imposed by penal Acts; the noble Lord had voted for this Bill before, and he doubted not was about to support it again. He was sure ground would not be given for saying that an English House of Commons would maintain invidious distinctions in this country, but that from this moment we should take care to restore, in that respect at least, the old free common law of England, and that no man would be punished by enactment on account of his religious opinions.

Mr. SHAW said, the hon. and learned Member for Winchester (Mr. B. Escott) had asked what was the cause that the right hon. Baronet (Sir R. H. Inglis) was maintaining? He (Mr. Shaw) would shortly tell the hon. and learned Member, he believed it was the cause of the Protestant faith and of the Protestant Church; and when the hon. Gentleman went on to ask what practical good the present system had done, and when his test seemed to be to ask how much money it brought into the Exchequer, he (Mr. Shaw) would tell the hon. Gentleman, that to have the profession of a purer faith established in this country, was not a thing of no value. The leading characteristic of the Bill was, that it unsettled, after so short an interval, the settlement that had been made in 1829; and he did not think that there was anything in the spirit of the present times that would reconcile those who were attached to the Protestant institutions of this country to the idea that the provisions which were proposed by those who brought in the Bill of 1829, and accepted by many of those who had been opposed to the measure, as securities for the Protestant Establishment in this country, should be abandoned. Upon that ground, and that alone, he objected to the Bill.

Mr. MACAULAY: I am truly sorry, Sir, that this question should come on when some hon. Members who are eminently qualified to discuss it are necessarily absent; and I regret also that it should be debated on a day when, should a division take place, only an imperfect representation of the general sense of the House can be obtained. I cannot, however, shrink from shortly and temperately stating the opinion I entertain. And, first, I will state that I conceive that whenever a Bill is brought in that contains a great quantity of matter which the House ought to place on the Statute-book, it is not an objection to the second reading of that Bill, that there may be some portion of it which it cannot be possible to admit upon the Statute-book; and I shall therefore think my vote sufficiently vindicated if I can show that many of the provisions of the Bill are provisions to which we ought undoubtedly to give the force of law. Now, Sir, the first provision of the first clause of the Bill, the hon. Baronet who has just spoken has not ventured to pronounce to be improper, nor has the hon. Gentleman who spoke last characterized it as an improper provision. The hon. Member for Oxford himself—the learned Recorder for Dublin—does not condemn the provision. In fact, it is one which I may confidently challenge any Gentleman in the House to pronounce to be an improper provision. For what is that provision? Is it the intention of this House that every Roman Catholic in England shall be subject to fine and imprisonment for being a Roman Catholic? Now, I say, that until you pass this clause of the Bill, which proposes to repeal the 1st of Elizabeth, c. 1, relating to the supremacy, every Roman Catholic in England is liable to fine and imprisonment for being a Roman Catholic. The law to be repealed is to this effect:—

> "That any person whatever affirming, holding, setting forth, maintaining, or defending the doctrine, that any foreign prince, prelate, person, State, or potentate whatever, has any authority, pre-eminence, power, or jurisdiction, spiritual or ecclesiastical, within this realm, shall be liable to fine and imprisonment; and that any person whatever, who advisedly does anything for the extolling, setting forth, maintenance, or defence of such jurisdiction, power, pre-eminence, and authority, shall also be liable to fine and imprisonment."

Now, this enactment, though repealed as to the particular penalties and punishments referred to in it, by the Act of last Session, remains in all other respects the same as if the Act of last Session had not been passed; and the holding, maintaining, and enforcing this doctrine still remains, as I understand, a misdemeanour, and therefore punishable by fine and imprisonment. I will ask you, then, does not that enactment include at the present moment every Roman Catholic in England? Does not every Roman Catholic in this country believe and hold that some spiritual jurisdiction resides in the Bishop of Rome? I know that there have been great contests on that matter; I know there were great contests upon it at the Council of Trent; I know that some Jesuits have attributed to the Bishop of Rome a much greater degree of spiritual jurisdiction that the Gallican Church gives him; I know that some writers have placed his spiritual authority far above that of general councils; that some have made him co-ordinate with general councils, and some subordinate to general councils; but take the whole range of Roman Catholic teachers and writers, from Aquinas down to Bossuet, and you will find not one Roman Catholic writer but holds that some spiritual jurisdiction does reside in the Bishop of Rome. There is no Roman Catholic in this country, then, but must consider himself in communion, of some sort or other, with the Bishop of Rome. Therefore I say, that there is no Roman Catholic in this country who, under the law as it stands, is not liable to fine and imprisonment. Now, I wish to know whether there is any Gentleman in this House who thinks that it is right or just that every Roman Catholic who teaches his sons the doctrines of the Roman Catholic faith, and this amongst others, and that every Roman Catholic priest who teaches to his congregation this among other of the fundamental doctrines of his creed, should be liable to fine and imprisonment for doing so? If it is to be asserted this day, that every Roman Catholic, for holding the doctrines of the Roman Catholic religion, shall be liable to fine and imprisonment, then just suppose that the Government were to hold it to be their duty to order the Attorney General to proceed against persons to whom any proceedings or conduct contrary to this statute were attributable; and suppose Dr. Wiseman was to preach a sermon on the text, "Thou art Peter," treating it in the sense in which it is understood by the whole Roman Catholic Church, is it seriously meant that the Attorney General should be obliged to prosecute Dr. Wiseman for teaching and enforcing this doctrine? And if Dr. Wiseman was sent to Newgate for preaching that sermon, is there one man in this House who could say that it would be justifiable? I venture to say there is not. Here, then, you have an enactment which this Bill proposes to repeal, and of which, I will venture to say, you cannot put a single hypothetical case in which you can possibly enforce it. But what is the state of our legislation now with reference to this subject generally? There are in this country several religious sects who dissent from the established religion of the country, and what is to be your course with regard to them? You may take that which I think is the true course to take—you may impose on them neither penalties nor disabilities by law; or you may take an extreme course, and may impose on them both penalties and disabilities by law; or you may take a third course, which I have heard advocated in this House, and never more earnestly than by the hon. Member for the University of Oxford, and the supporters of which are accustomed to say, "Don't let us punish, don't let us hang—the votaries of these doctrines, but let us keep them from power." But what can be more unreasonable than this? You admit the Roman Catholic to political power in this House, and you dispense him from the oath of supremacy, instead of which he takes another oath on his entrance among us; and yet he remains liable to pains and penalties for infringing this statute for enforcing the supremacy of the Crown which you have not repealed. Is it not unfitting that the House should allow an Act of Parliament to remain on the Statute-book, of which the best defence is that it is never executed? Taking a fair view of the matter of the Bill, as brought forward by the hon. and learned Member for Kinsale, it hardly can be asked that we should not pass this part of the Bill because it goes to repeal an enactment that never will be executed. If so, why not affirm this proposition, that we will never repeal any statute that is never executed? Sir, I think we should disgrace ourselves, and injure the character of this country, by hesitating about our vote as to the provisions contained on the second page of the Bill; and this applies also to the greater part of the provisions on the next page. Now, as to the first of these, for the repeal of the law against the bringing in and putting in execution of bulls, writings, or instruments, and other superstitious things from the see of Rome, my hon. Friend the Member for the University of Oxford, was mistaken—he must pardon me for saying so—in what he has said; for he said, that this part of the hon. and learned Member for Kinsale's Bill was unnecessary, because that law against the importation of bulls, writings, or instruments, or other superstitious things, from the see of Rome, was done away with by the Act of last Session. But what was really repealed by the Act of last Session? Why, the Act against the importation of bulls, writings, or instruments, or other superstitious things, was repealed, "so far only as the same imposes the penalties or punishments therein mentioned;" but it was also expressly declared that there was nothing in the Act to "authorize, or render it lawful, for any person or persons to import, bring in, or put in execution within this realm, any such bulls, writings, or instruments; and that in all respects, save as to the said penalties or punishments, the law shall continue the same as if this enactment had not been made." The effect of this is to leave the bringing in a bull, a rescript, or an *Agnus Dei* into this kingdom, subject to fine and imprisonment, as for a misdemeanour. Now I must say, that it a little weakens the respect which I must feel for the hon. Member for Birmingham (Mr. Spooner), to hear him say to the House, as he did in one of the debates on the Bill of the hon. and learned Member for Kinsale, of last Session, that he could not reconcile to his conscience the repeal of a law which made those who brought in bulls from Rome liable to be hanged, drawn, and quartered. Is it really meant to continue legislating for the Roman Catholics, so as to prevent their importing a crucifix from Rome, without being liable to pains and penalties? Is it really meant to maintain that law? Sir, it seems to me, that as to these provisions, and until we come down to those parts of the Bill which the hon. and learned Member for Kinsale declares that he is willing to modify, we come to nothing which we ought to dispute about. Then, Sir, supposing that those latter parts of the Bill may be objectionable, was it ever heard of that a Bill generally approved of, was ever thrown out on the second reading for a clause which the Member who brought it in declared that he was willing to modify? But, Sir, having said this, I must also say, that I think it would be most inexpedient and unjustifiable to confer on Roman Catholic ecclesiastics the power of making the processions of their church in public in this country. Even James the Second, when he was treating with the Roman Catholics in Scotland, thought it necessary for the public peace that no processions should pass through the streets; and I must say, I think to allow it, would be most objectionable, because I believe that it would lead to violations of decency and disturbances of the public peace. I am convinced that no procession could pass through the streets without something occurring that must be offensive to the feelings of every Roman Catholic. I think few processions could take place without leading to disturbance or breach of the peace. Religious processions are not allowed in India, though, if there be a tolerant Government on the face of the earth, I think it is the Government of India; yet they constantly prohibit the processions of the Mahometans, because such processions would be dangerous to the public peace from the risk of collision with the followers of Ali and Omar; and I must say that I have no objection to any law which prevents the celebration in public of Roman Catholic rites, which when celebrated in public, are likely to be celebrated amidst circumstances of indecency or outrage. Then, with respect to religious societies and orders, I do not think it a just or reasonable thing that an English Roman Catholic subject, for being a member of an order—a Franciscan for instance—should be banished the country, and if he returns should be hanged. It is perfectly clear that such an enactment cannot be enforced. Everybody knows that there are regular clergy of the Church of Rome in this country, but still not a single human being dares, or ever will dare, to put the law against them in execution. But, Sir, while I say that, I have no objection to that which many persons think of importance, I do not see why a system of registration should be objectionable; I cannot think that the religious orders of the Church of Rome could object to that. My objection is to enacting a punishment against a man for being a Franciscan; but it is not to punish a man for being a Franciscan, to oblige him to tell the country that he is one. Sir, with respect to the Jesuits, I am far from giving credit to all the idle scandal that may be wandering over England or France about them; but I say, that if a person, who is a Jesuit, is found mingling in society, and disguising the fact that he is so, such a person would be a just object of suspicion to the heads of families with whom he associates, that he is there for the purposes of conversion. Therefore, I think that it is desirable there should be some system of registration, under which it shall be known who are, and who are not, members of religious orders in this country. That I think is perfectly compatible with religious liberty, and also necessary for the security of society.

Mr. FINCH said, the right hon. Gentlemen (Mr. Macaulay) had stated very truly that every Roman Catholic in existence did, in some sense or other, admit the spiritual supremacy of the Bishop of Rome. It was equally true that the Sovereign of this country was here supreme in spiritual and temporal things. A religious system like that of the Church of Rome must, therefore, be adverse to the Royal prerogative, and the letter of the English constitution. The right hon. Gentleman had inquired if any one would venture to prosecute Dr. Wiseman; but the case which he had suggested was an extreme one, and would not bear argument. No one ever imagined that the law was to be brought to bear in every case. It had been obsolete for upwards of 200 years; but should the Church of Rome obtain much greater influence — and her ambition was well known—the retention of such a power would be of very considerable importance. He did not mean to say that the penalty might not be too great; and if any hon. Member was desirous of reducing the penalty, he (Mr. Finch) should be happy to second the Motion; but to say that there was to be no penalty at all, was going a little too far. And although hon. Members might denounce any attempt at interference with Dr. Wiseman, or any other Roman Catholic, for merely preaching a sermon in favour of the Pope's prerogative, yet it did not at all follow that if those doctrines were put forth in a more contumelious and offensive form, the power of checking them ought not to exist. But after all, that was one of the least objectionable parts of the Bill; but still on constitutional principles he felt bound to oppose it. He now came to what had been said respecting the public exercise of the rites and ceremonies of the Roman Catholic religion. From his knowledge of the Protestant population of the country, he was perfectly convinced that such a proceeding would offend their feelings in the highest degree. Nay, their feelings were so strong on the subject, that if such processions should be tolerated, they would expect the Divine judgment to come upon them. The promise of the hon. and learned Gentleman to modify the Bill, was not, in his opinion, a justification for the House to read it a second time. He was altogether incredulous as to the possibility of wording a clause which would altogether prevent such processions from taking place in some degree or other. When the hon. and learned Gentleman introduced the Bill, he ought to have laid it on the Table in the most complete shape; and if he felt confident that he could shape a clause so as to obviate all objections, let him withdraw the Bill, and introduce it again in a more perfect shape. These processions would be attended with the greatest inconvenience, and would be considered an insult to the Protestant feeling of the country. Not less than fifteen-sixteenths of the population of this country were Protestants; and whilst hon. Members talked of consulting the feelings of the Roman Catholics, they ought also to consider the propriety of consulting the feelings of the Protestants; and he considered it not at all inconsistent with the spirit of toleration that the feelings of the great mass of the population should be regarded with some respect. With respect to what had been said on the subject of religious orders, it was well known that they were most intimately bound to the head of the Romish Church. It was said the secular clergy of the Church of Rome derived their orders from the Apostles, but the regular clergy derived their existence from Rome; and the Jesuits, Franciscans, Dominicans, and many others were inclined to preach the prerogative of Rome to the highest pitch. The belief in the superior authority of the Pope was in direct opposition to their allegiance to the Queen, and if brought into play might, in the end, terminate in open insurrection. The Roman Catholics were most zealous in making proselytes, and in the neighbourhood of Stonyhurst thousands were under the influence of the Jesuits. They were employed in a similar manner in the county of Leicester; and whenever they located themselves in a place, they quickly invaded the neighbouring population, and were gradually extending their influence all over the country. In proportion as the monastic orders gained power, in proportion would there be an *imperium in imperio*—a body of men pretending to uphold the Roman Catholic Church against the Government, who would have as much difficulty in governing England as they had experienced with regard to the sister country. He did not wish to revive the accusations which had been brought against the Jesuits in former times; but if any one wished for information on the subject, he would refer them to the writings of the right hon. Gentleman the Member for Edinburgh, and the *History of the Reformation*, by Rancke. The system laid down by Loyola, he would dismiss from his mind altogether; and, taking the society as it existed at the present day, he considered it a most awful institution, and for this reason, that the principle of obedience was laid down to an extent not known in any other order. They were as much bound to obedience as soldiers were bound to obey their officers; and the thousands who were dispersed about in different countries, were liable to be put in motion by one spring, and directed simultaneously to one common object. Possessed of an immense deal of talent, zeal, and enterprise, their devotion to the Church of Rome was most profound. They were connected with every class—mixed up with the press—entered into every grade of society—possessed great political influence, and, if made to move in one direction, would become a most formidable body of men; and he was quite persuaded that if monastic institutions were to be permitted to extend throughout the country without restriction, the most serious difficulties would arise. His apology for interfering with the Church of Rome was this—he would give the fullest toleration to every Church in existence except the Church of Rome. ["Oh!"] He was not surprised at that exclamation, and admitted that he had taken a somewhat strong position, but trusted to justify himself by sufficient reason. The Church of Rome was, first of all, opposed to the Royal prerogative of this country; she was also opposed to our Protestant constitution; she was opposed to the independence of every Church in existence; and she was opposed in her very essence to liberty of conscience; and that was not the case with respect to any other Church. The right hon. Gentleman said that every Roman Catholic believed some spiritual supremacy to be vested in the Pope; but every Roman Catholic also believed the Church of Rome to be the mistress of all other churches. That was part of the creed of every Roman Catholic in existence. Consequently the Romish Church aspired to universal dominion, and, as far as her power extended, was hostile to the independence of every existing Church. The Church of Rome was distinguished from every other Church, and therefore he could give that full measure of toleration to other Churches which he could not give to the Church of Rome. But if the Roman Catholics should consider this intolerant, let them show a little religious reciprocity. In France and Belgium, liberal Governments had broken down the power of the Church of Rome. But in Spain nothing like religious liberty could be found; and that as little existed in Portugal, might be inferred from the proceedings at Madeira with respect to Dr. Kalley. The Roman Catholic States of Austria were without religious liberty; and no vestige of it could be found throughout the length and breadth of Italy. This country had now been at peace with Rome for thirty-two years, and English residents had spent thousands there; but up to this moment they had never obtained from the Bishop of Rome permission to build one English church within that bishopric. If the Roman Catholics called him intolerant, he would recommend them to endeavour to persuade their clergy and their vicar-apostolic, headed by the Earl of Shrewsbury and the Duke of Norfolk, to present a petition to the Pope praying him to proclaim religious liberty. [An Hon. MEMBER: It is not usual to petition the Pope.] Then (said the hon. Gentleman, in conclusion) "let them go in person, or send a deputation; and when they have established religious liberty throughout the papal dominions, let them accuse us of intolerance and persecution towards the Roman Catholics of this country, because we refuse them the few remaining privileges, which are withheld simply because we believe them to be hostile to the form of the British constitution, to the state of the law, to the Royal prerogative, and to the safety and security of the Protestant community."

Mr. W. SMITH O'BRIEN thought, in order to have established the analogy the hon. Gentleman who had just addressed the House, should have shown that there was no other country besides this which inflicted the punishment of transportation for life for holding a particular religious opinion. Something, too, had been said about the dark ages; but he could not understand, unless they were in the dark ages now, how any hon. Member could keep the House waiting hours to debate a subject of this nature. It was an invidious distinction to allow the mayor and alderman of a town to join a procession bebecause they were Protestants, and not allow any others to go in procession because they might happen to be of a different persuasion. The Bill should go a little further in his opinion, and the Roman Catholics ought not to be contented until they had the full liberty which was allowed to their fellow-countrymen. As the law now stood, the highest and most distinguished member of the bar of Ireland, had been prevented from obtaining the highest honour of his profession because he was a Roman Catholic. Sir M. O'Loghlen, who ought to have been the Lord Chancellor of Ireland, had been deprived of this honour because he was a Roman Catholic. The same applied to the office of Lord Lieutenant of Ireland, the duties of which there was no earthly reason to show why they might not be as efficiently performed by a Roman Catholic as by a Protestant. Then as to the oaths. Why, could there be anything more offensive than the difference in the oahts which hon. Members differing in religious opinions were obliged to take on entering that House? But if the object of the Bill was to secure a better feeling among the Roman Catholics, he only hoped the measure now before the House would have that effect.

MR. SPOONER trusted the House would allow him to say a few words in reply to the personal remark of the right hon. Gentleman the Paymaster of the Forces (Mr. Macaulay). The right hon. Gentleman said, that on the last discussion on this Bill, he (Mr. Spooner) said, that he would not consent to that clause which made legal the introduction of bulls, even although the person introducing them might be liable to be hanged, drawn, and quartered. Now he (Mr. Spooner) begged to say that this was a complete misrepresentation of every word which he uttered, of the opinions which he held, and of the arguments which he endeavoured to use on that occasion. The House was in Committee at the time; and although the debate was reported very briefly, sufficient was given to answer the accusation of the right hon. Gentleman; and the remark which afterwards fell from the right hon. and learned Gentleman the Recorder for Dublin (Mr. Shaw) completely confirmed what he (Mr. Spooner) now stated. On that occasion he asked the Solicitor General this question:—

> "Before I give my vote, I call upon the law officers of the Crown to answer this question: You are now going to take away all the penalties which by the statute law attach to the introduction of bulls into this country. I wish to be informed upon this point—If a bull is introduced into this country when it is only cognizable by the common law, if the bull itself is an innocent document *per se*, will the common law prevent its being brought in?"

The answer given by the hon. and learned Gentleman was, "Certainly not." He (Mr. Spooner) then said on that account he could not admit the insertion of a clause which should make legal the introduction of a bull which upon the very face of it recognised the supremacy of a foreign prince. He guarded himself by saying that he was anxious that the severe penalties which then attached to the introduction of a bull should be repealed; and he suggested to the noble Lord (Lord J. Russell) the propriety of withdrawing the clause, in order that it might be better considered, because although he decidedly objected to the penalties, he could not consent to the removal of the statute law. He would now read the words which he used on that occasion:—

> "Mr. Spooner objected to the next clause, on the ground that it would violate the oath of supre-

macy and the oath taken by Members of that House, which set forth that no foreign pontiff should be allowed to interfere in any way with the religious opinions of the subjects of this realm; whereas the Pope would have the power by this Bill of issuing bulls for the purpose of influencing the opinions and conduct of the people of this country. He pressed the noble Lord to postpone the clause until next Session, in order that it might be more fully discussed. He moved the omission of the objectionable words, and expressed his intention of dividing the House on the subject, if the explanation of the Government was not satisfactory."

Now, what had his right hon. and learned Friend said on that occasion? He said that—

> "He hoped his hon. Friend (Mr Spooner) would not divide the House on his Amendment. His hon. Friend did not seem to understand the distinction between an offence existing by the common law, and punishable at the common law. If a statute created an offence, or prohibited any act from being done, the common law could punish the offence, if committed, as a misdemeanor. The punishments under the old Act were admittedly too severe. His hon. Friend himself did not desire to retain them."

It was perfectly clear from what he had quoted, that he had expressed himself in terms the very contrary to those which the right hon. Gentleman the Member for Edinburgh had thought fit, without the slightest foundation, but on the mere imagination of the moment, to attribute to him. He had certainly last year stated that his great objection to the Bill was, that it was another inroad on the Protestant constitution of this country; and that if they allowed it to pass, they would be inserting a wedge which would be driven home by others without scruple. He was confirmed in that opinion by what had fallen from the hon. Member for Limerick in the present discussion. The hon. Member, though a Protestant, told them that he would not be contented until the restrictions were removed which prevented a Roman Catholic being appointed Lord Chancellor of Ireland. Nor did the hon. Gentleman stop there, but went on to state that even with regard to the office of Lord Lieutenant, the representative of Majesty in the sister kingdom, all such restrictions should be removed. Grant these demands, and they would soon find hon. Gentlemen coming forward with a proposal for the removal of the restriction which compelled the Monarch of this kingdom to be a Protestant. The hon. and learned Member for Winchester had asked why he should impugn the religion of nearly all Europe? The hon. and learned Gentleman had evidently never thoroughly investigated the doctrines of that religion, otherwise he would not have asked the question. He told the hon. and learned Gentleman, that he impugned it, because he believed it to be not only not the religion of the Bible, but a religion contrary to the Bible. That was his belief, and no obloquy would ever prevent him declaring that the Roman Catholic religion was not founded upon the Bible. For years they had in this country been deviating from the Protestant principles of the constitution—they had been daily losing their Protestant character; and he hesitated not to avow that he believed in his conscience that that was one of the many causes why this country had been so afflicted by Divine Providence. He should not have addressed the House, if he had not been so unjustifiably attacked by the right hon. Gentleman the Member for Edinburgh. He could not sit down without stating that he would not shrink from expressing his opinion with regard to any measure like the present, and that he would give a decided vote against the introduction of the Bill.

Mr. MACAULAY: One word by way of explanation. If I have done the smallest injustice to the hon. Gentleman in what I have said, I will at once retract it and ask his pardon; but I have not stated any arguments which are not clearly to be demonstrated from the very authority to which he has referred. The question under discussion was, "Shall a law pass the Legislature which shall have the effect of reducing the punishment for asserting the papal supremacy, to fine and imprisonment?" On that clause being proposed, the hon. Gentleman, as he has just said, declared that he would oppose it, and would divide the House upon it. Then rose the right hon. Gentleman the Recorder for Dublin, and declared that it was out of all question to retain the extreme penalty, for "the punishments under the old Act were admitted to be too severe." [Mr. Spooner: Read on.] And then the right hon. Gentleman said, "It was clear that the state of the law was not to be changed in any respect but in the abolition of penalties;" upon which the hon. Member for Birmingham, adhering to his own opinion, said, "Seeing the feeling of the House, he would not divide on the Motion, but would content himself with merely protesting against the Bill."

Mr. SPOONER: If the right hon. Gentleman will refer to what the Recorder for Dublin said, he will find he stated that

I would not myself defend these punishments.

MR. MACAULAY: The right hon. Gentleman the Recorder for Dublin expressed his confidence that the hon. Gentleman himself would not approve of the punishments, and therefore called upon him to vote for the Bill. But when the Recorder sat down, the hon. Gentleman objected to the Bill, and protested against it; but he would not divide, because the sense of the House was against him. What the hon. Gentleman now complains of is, that I do not take his sense from the Recorder of Dublin, but from himself.

MR. J. O'CONNELL trusted they would proceed to remove the penalties, which were confessed to be of no value, but which tended to keep up irritation, and promoted no good end. He did not think the attacks upon the Jesuits, because they were under vows, were merited, for all the orders were under vows; but they were not bound to attend to them if they were contrary to morality. If the vows were against morality, they were bound to disobey and utterly to disregard them. With respect to the clause about processions, he did not wish to retain it, for he thought nothing could be more objectionable than any species of religious processions; and even in Catholic countries, as there were many of other religions existing, he wished they were done away with; and he did not for himself see any objection to a registration of the religious orders, but such a registration should not be confined to one particular sect. With those changes in the Bill, was the hon. Gentleman ready to give his assistance to remove from the legislation of this country those restrictions which were upon the Statute-book, but which it was now morally impossible to enforce, and which, if the Catholic Church should obtain the power which hon. Gentlemen asserted, it would in point of fact be impossible to enforce? It had been said that the proportion of Catholics in this country was small; but they were seven-eighths of the population in Ireland, and nearly one-fourth of the whole kingdom: that was a "great fact," and it was a fact which must be recognized. He did not know that he could add anything to the arguments which had been advanced in favour of the Bill; and that was not the time to go into the history of the benefit derived from the religious orders, without whom the classical authors would have been wholly lost; and he would not then speak of the other admirable services they had at all times rendered. But the hon. Gentleman had referred to the course pursued in countries which he called Catholic. He had spoken of Spain: was that rightly to be styled a Catholic country, where if the religion were not persecuted, it was interfered with in every possible way? In France, the religion only existed on sufferance; it was constantly attacked, and when any Catholic prelate wrote in its defence, he received a reprimand. Austria could scarcely be considered, so far as the Government went, as Catholic at all; there was an interference which was little short of persecution, and the appointments in the Church were made in the same way as would be those of corporals in the army. And, indeed, in all the foreign countries, the religion was not as religion ought to be. He would not enter into the case of Dr. Kalley in Madeira, but he could prove that Dr. Kalley had been guilty of the grossest imprudence. He would rather leave the discussion in the more able hands of those who were not of the Catholic religion, and he had only risen to express his wish for some stringent provision against all processions, and to explain that he felt no objection to a proper registration of the religious orders.

MR. NEWDEGATE said, he perceived that the promoters of the Bill had determined upon the same course which they had on previous similar occasions pursued, namely, to argue as though the whole question were to be taken for granted. The hon. Member for Kilkenny, for instance, had begged the whole question: his speech had been from the beginning one conclusion. The hon. Member had told them of the restrictions placed upon the Roman Catholic clergy even in Catholic countries, and proposed that this Protestant country should set them a bright example, and exhibit a degree of tolerance which Roman Catholic countries did not find it consistent with their safety to concede to their own Church. He admitted that the existence of the Roman Catholic Church in this country was a great fact; and he thought he was fairly entitled to argue from that circumstance that the Church and the professors of its doctrines suffered no disability that was really injurious, or that tended to impede their progress. He was glad that this was so; and if it could be proved that the professors of that religion were subject to any real grievance, he should be most ready to remove it, for he hated persecution. But what was the measure now before them? They were told that it was to repeal certain enactments, many of which were not so much of a religious as of a constitutional character. Why were they asked to repeal these enactments? They were told, because they were unworthy of the age; They might as well say that the Protestant constitution was unworthy of the age; and, indeed, he often felt there was a difficulty in maintaining their Protestant constitution with that full tolerance to the Roman Catholics which had been already conceded. The whole scope of the present Bill was to knock down every restriction that now existed, and to build up nothing. He denied that the present state of the law, as regarding the acknowledgment of the supremacy of the Pope, was in the state it was represented to be by the right hon. Paymaster of the Forces. It was only when the supremacy of the Pope was "advisedly, maliciously, and directly publicly set forth," that it became a crime; and when the question was debated in another place, that was stated to be the effect of the law by the then highest legal authority in the country. He (Mr. Newdegate) denied, therefore, that there was anything in the words sought to be repealed by the Bill, which could impose penalties on a Roman Catholic for the quiet and orderly observance or profession of his religion. It was not very easy to understand the exact intention of the Bill; it appeared that it did not contemplate the admission of Roman Catholics to the privileges and emoluments of the Universities. But then it did propose that all practitioners of the law, of whatever creed, should be exempted from taking the oaths hitherto prescribed. He should like to know the reason of that. Hitherto it had been deemed advisable that certain oaths should be prescribed to practitioners in courts of law; and he did not see upon what ground they were to be exempted from taking such oaths. This provision had not been considered by the Criminal Commission, and had been introduced into the Bill since it had been before the House last year and defeated, but without any reason having been assigned for its introduction. It was also proposed that Roman Catholics should be relieved from the necessity of taking the oath prescribed to be taken by them as a condition of relief by the Act of 31 George III.; and by the Act of 1829, that oath was required to be taken by Roman Catholics, and no hardship was inflicted on them in consequence, for, in taking it, they only declared that the Pope possessed no civil or temporal power in this country. He begged to tell the promoters of the Bill, that they had done wisely in giving up that portion of the Bill which would permit the wearing of the ecclesiastical habits, and the conducting of the processions of the Church of Rome in the open streets. They knew they dared not thrust these things upon the people of England; their abandonment of these provisions showed that they had a painful consciousness that there was a deep feeling in the people opposed to their propositions. If these processions were permitted, how must they have been conducted? Unguarded, they would not have been safe from interruption; how, then, could they be guarded? By the police, it might be answered. But he told them that no Government of this country dare send the police to guard these processions through the streets, in violation of the feelings and opinions of the people. Then it had been argued that because there was no law against the processions of the Roman Church in the United States, there ought to be none in England. In the United States, it was true, there was no law upon the subject; but they had a code which went under the name of "Lynch law," which would little tolerate any such exhibition, even if it did not militate against the religious opinions of the people; and he would give them an instance how little they tolerated even a trifling departure from their own mode of thinking. There was a celebrated performer, a German lady, staying at New York. Her countrymen wished to serenade her. They did so two nights, and he (Mr. Newdegate) was there; but it roused the jealousy of those republicans so much, that on the third night the majesty of the people, as it was called, forsooth, collected itself into a mob, and broke the instruments of the serenaders about their heads; and no further question was asked about the matter. Did they wish to see such a thing as that happen in this country? Did they wish that a religious procession should be protected by the police, or that any protection should be given to a procession of a particular creed, against the feelings of this country? Well, then, the hon. Member for Kilkenny told them to forget the history of the Roman Church and of the Jesuits; to bury in oblivion all recollection of the troubles and persecutions they had caused. But how in the name of common sense could that be done in legislating for a Church which boasted herself "*semper eadem.*" Were they to forget the history of the Jesuits, and that the Catholic countries could not tolerate them unrestrained, but that it had been found necessary to expel them from almost every country in Europe? From England they were expelled in 1604; from Venice, in 1606; from Savoy, in 1729; from Portugal, in 1759; from France, in 1764; from Spain and Sicily, in 1767; and from Malta and Parma, in 1768; and, finally, they so overbore the Pontiff himself, that Pope Clement XII. contemplated their suppression, but died suddenly; and Pope Clement XIV. did suppress them, and he died very suddenly in the next year. Were they to be blind to the circumstances of their own time? to overlook the bloodshed and misery caused by the interference of the Jesuits in Switzerland? Were they to ignore the fact, that those troubles were caused by the Jesuits, who grasped at the education of the freeborn sons of the Swiss Cantons, and drove the people to resistance by force of arms. He could not consent to this measure; in a constitutional point of view, he was bound not to admit the claim of a foreign prelate to such jurisdiction as was claimed on behalf of the Pope, in this country; for the sake of religion, but not more than upon national grounds, he must refuse his assent to this Bill.

LORD G. BENTINCK: Sir, the hon. Baronet the Member for the University of Oxford, in his speech to-night, has told us that he has been the firm and unflinching defender of Roman Catholic disabilities; and the hon. and learned Member for Winchester has appealed to me, and expressed a hope that I might prove the Peel of 1847. Now it is because I, on the other hand, have ever been the firm and unflinching friend to the removal of Roman Catholic disabilities; and because I feel that I may vote to-night in support of the hon. and learned Member for Kinsale, without trenching upon the privileges of the right hon. Baronet the Member for Tamworth, who sits beside me, and without at all poaching upon the rights of Drayton Manor, that I mean to support the Bill of the hon. Member for Kinsale.

It has been argued by the hon. Member for the University of Oxford, that these laws are obsolete, and therefore no practical evils exist requiring to be remedied by this Bill. Now, f these laws be obsolete—if they cannot be carried into execution—if no Government would now dare to banish or to transport a Jesuit, an Augustinian, a Dominican, a Cistercian, or a Franciscan—that is reason enough why we should repeal these obsolete laws. But I am not one of those who think that these laws can be considered as obsolete; and I think that there is in their maintenance a great practical evil to the Roman Catholics in this land. The hon. Member for the University of Oxford said, that there was no example since the days of Elizabeth, of any Roman Catholic having been hanged for maintaining the supremacy of the Pope. That may be; but yet I believe there are many examples in modern times of serious grievances being suffered on account of those laws. So late as the year 1837 a cause was tried before Lord Langdale, in which the estate of Stonecroft, in Northumberland, which had been subject to a rent-charge for the maintenance of a Roman Catholic priest, and certain other poor persons of that creed, became matter of litigation and question under the penal statutes; when it was decided by Lord Langdale that this rent-charge was contrary to the penal statutes, and that according to law the estate had become, with the rent-charge upon it, forfeited to the Crown. That was surely a practical grievance; and so great was it, that the Government of the right hon. Baronet the Member for Tamworth thought it their duty to recommend that a new grant should be made of the rent-charge. And accordingly Her Majesty was advised to renew the grant, and the grant was renewed.

Is it no practical grievance that Roman Catholics cannot be buried in churchyards or in the open air, and have performed over them the rites of Christian burial by the clergyman of their own church, dressed in their clerical habits? Yet such, I believe, is the practical effect and daily operation of the law as it at present stands; the consequence is, that in the case of every Roman Catholic, the funeral service is performed in the chamber where he died, and the form is gone through of the earth being either placed in his coffin or thrown over him; and if a Roman Catholic clergyman attends the funeral, he must do so denuded of his clerical official habits. It must be admitted that this is a great evil, and one which ought not to be permitted in a Christian country. Are there no other grievances? Do we not all recollect that two years ago, when the hon. and learned

Member for Cork (Mr. O'Connell) filled the office of Lord Mayor of Dublin, the scandal was blazed abroad throughout the world, that he, a Roman Catholic, being disabled from appearing in his robes of office in the church where he was accustomed to worship, went through the streets of Dublin in his robes of office, and then at the door of the church, and in the face of thousands, the Roman Catholic was obliged to strip off his robes of office, and to cast them aside? Do you think that it is in favour of civil peace, that it tends to conciliate the Roman Catholics of the empire that these scenes should take place? Now, these are, I think, practical grievances, which ought to be remedied, and which, I think, by this Bill would be remedied. Then, again, I have spoken of the order of St. Francis—of the Christian brotherhood; in which order the schoolmasters of Ireland are chiefly to be found, and to which order, by the way, Father Mathew belongs—a man of whom, perhaps, it might be said, that by his introduction of habits and principles of sobriety, with morality as the sure consequence of sobriety, he has no compeer in Ireland as regards the great services he has done her. And yet Father Mathew, so long as these laws exist, may any day be banished from the kingdom; and should he return from banishment, thereby becomes liable to transportation for life. These, then, are practical grievances which ought to be remedied. But then we are told of a compact having been entered into in 1829. Now I, for one, acknowledge no compact. Indeed, there could be no compact in the case, because the Government of that day surrendered at discretion. They resisted as long as it was in their power; but they were obliged, in 1829, to lay down their arms. The restrictive clauses which the present Bill seeks to remove, were protested against by various parties, and amongst others by the noble Lord the Member for Liverpool, who said, "they were worthy only of the despotism of Russia;" and also by the Chief Secretary for Ireland, who spoke of them "as needlessly inflicting a stigma on honourable men in a way wholly unworthy of a Christian people."

Sir R. PEEL: This Bill contemplates a double object—it contemplates the repeal of many enactments contained in the Statute of 1829, which Statute relieved the Roman Catholics from the pressure of almost all the political disabilities under which they laboured; and the present also contemplates carrying further into effect the Bills passed during the last Session and during the Session of 1844—Statutes that were enacted for the purpose of abolishing laws that had become practically obsolete, which implied doubts of the loyalty of the Roman Catholics, and which imposed upon them penalties most severe and disproportionate. So far as the latter object goes, I have no hesitation in giving to the Bill my cordial and entire assent. I took an active part in promoting the Bills of 1844 and 1846, because I thought it would be a most unwise course, and not in consonance and agreement with the spirit of the times, to continue the existence of statutes which inflicted penalties that were revolting to the Christian feelings, even of those who did not agree with the Roman Catholics, and which were discreditable to the Statute-book. Of the removal of these enactments I fully approve. I may say I approve of the first part of the Bill, which professes to supply some omissions made by the framers of the Acts of 1844 and 1846. It has been said that one of these Acts clearly falls within the scope and intention of the former Acts; the principle of that Act is, that if any Roman Catholic should advisedly and maliciously maintain the authority of the Pope, he should incur certain penalties. But that enactment is still in force, notwithstanding the Statutes of 1844 and 1846. The spirit, and, I may add, the letter of that enactment is, that if any one should maliciously and advisedly maintain the authority in spiritual and ecclesiastical affairs of any foreign prince, potentate, or prelate, the person so maintaining such doctrine shall forfeit for every such offence the sum of 20*l.*; if his goods be not worth 20*l.*, he shall forfeit all the goods that he does possess, and be imprisoned for one year.

Mr. WATSON: Those penalties are repealed—the offence is now only a misdemeanour.

Mr. LAW: It still remains an offence at common law. It is a part of the constitution, that no man shall maintain that in this country any foreign prince, potentate, or prelate, possesses or is entitled to any authority.

Sir R. PEEL resumed: As the law now stands it is in that condition; but, though that law may cease to be in force, yet no one will doubt that under the operation of that law the Roman Catholics were subject to fine and imprisonment. The hon. and learned Gentleman says, that the law which makes this maintenance of foreign authority an offence is a part of the constitution; that if any Roman Catholic maintains the authority of the Pope, he offends against the law. But then hon. Members say, that in order to make such an act illegal, the offender must commit it advisedly and maliciously. Now, I think if he commits it advisedly, the malice will be inferred. I am not prepared to say that Roman Catholics who maintain the ecclesiastical authority of the Pope, ought to be subjected to fine and imprisonment. Notwithstanding what the House has heard from the hon. and learned Gentleman, I doubt very much whether that principle be a part of the constitution of this country. I find that when we admitted Roman Catholics to seats in Parliament, we relieved them from the necessity of declaring that the Pope had no authority, ecclesiastical or spiritual, in these realms. The oath Roman Catholics were then required to take was, they did not believe that the Pope possessed in this country any temporal or civil jurisdiction, power, or supremacy, direct or indirect. By the Act of 1829, we qualified Roman Catholics for the performance and exercise of the highest constitutional functions, namely, those of Members of Parliament. We relieved Roman Catholics from a disability which excluded them from seats in Parliament, and we no longer required that a denial of the Pope's authority, in matters spiritual and ecclesiastical, should be a necessary qualification for sitting and voting in this and the other House of Parliament. As to the oath of supremacy, it will, of course, be recollected by the House that early after its enactment the Roman Catholics did not object to it. We deny that any foreign prince, prelate, state, or potentate possesses any temporal authority which could be enforced by any jurisdiction existing within these realms. We all know that there is no power to enforce the mandates of such an authority. With respect to those who willingly defer to it, the case is different; for them it may, in a certain sense, be said to exist; but they know as well as we do that there is no power which, by law, can carry that authority into practical effect. To that part of the Bill to which I have thus referred, I am, as I have already stated, not prepared to refuse my assent. With respect to the other portion of the measure, I am bound at once to declare my total dissent. I am not prepared to agree to the repeal of any of the enactments of 1829. I do not say that upon all occasions, and under all circumstances, I shall bind myself to a literal adherence to every portion of that measure; but I will contend to the utmost for a substantial adherence to all its principles. For example, there is one portion of that Statute of 1829 which enacts, that no Roman Catholic prelate shall assume the name, style, or title of bishop of any see within these realms; and by the enactments then passed by the Legislature, it was there provided that no Roman Catholic priest should appear in the streets attired in the insignia of his order: that was a restriction upon the regular orders of the Church of Rome, and I must say that I think that comprehensive principle ought to be maintained. Then, in looking at the Bill now before the House, I find it omits clauses which were contained in the Bill on the same subject which the hon. and learned Gentleman introduced in the course of last Session. I should be glad to hear the hon. and learned Gentleman tell us why he omitted those clauses. Then I find that on the present occasion the hon. Gentleman tells us, he continues the prohibition respecting the appearance of Roman Catholics in public processions arrayed in the dress of their order; and this, he informs us, he does for the purpose of satisfying the public mind. Upon the same ground I contend for the importance of the other provisions of the Act of 1829; they were introduced to satisfy the Protestant mind, and for that reason they ought to be continued. I am justified in saying, that in 1829 there was no compact; but we felt there would be great difficulty in removing disabilities, unless that change were accompanied by provisions which would render it acceptable to the minds of the Protestants. I am further bound to say that I differ altogether from the hon. and learned Gentleman as to permitting municipal officers to wear the insignia of their offices at Roman Catholic places of worship. The prohibition of that is nothing more than a distinct recognition of that moderate supremacy which has been secured to the Established Church; and on the same ground I ask, why we should not be permitted to continue all the enactments which were agreed to when the Roman Catholic disabilities were removed? With respect to the religious orders of the Roman Catholic Church, I willingly admit that they might be better regulated; but I am not prepared to take the course of consenting absolutely to repeal all the existing enactments upon that subject, unless the hon. and learned Gentleman will tell us what regulations he proposes to substitute. I am not prepared to say that unlimited power should be given to any religious community to establish itself in this country; at the same time that I am prepared to assent to the first part of this measure, as well as to whatever portion of the Bill may be found in accordance with the enactments of 1844 and 1846, whether they go merely to the removal of penalties, or to a modification of the law which may not be inconsistent with the enactments of 1829; but I see no reason why we should part with securities, or those provisions which were thought to be securities, at the time that Roman Catholic disabilities were removed in 1829. I will not consent to that portion of the Bill unless the hon. and learned Gentleman will tell us what regulations he proposes to substitute in lieu of those securities, and in what manner he proposes that the regular orders should be controlled. There are parts of the Bill which I am perfectly willing to consider. I will not refuse to consider the whole of the measure, merely because there happens to be some portion of it respecting which I am bound to pronounce my unqualified dissent.

Mr. LAW assured the House, that whatever might be the opinion of the right hon. Baronet who had just sat down upon the point, it could not be questioned that it was an offence at common law to acknowledge the authority of the Pope. He had the warranty of the late Lord Chancellor for saying so; and he begged to refer any hon. Gentleman who was sceptical on the point to Lord Lyndhurst's speech in the House of Lords last Session. The Act 9 Victoria, c 10, expressly provided that the penalty at common law should still attach to the offence, even though the particular penalty imposed by express statute was repealed. He would oppose the second reading of the Bill, because he was satisfied that it would be found very difficult, if not wholly impossible, to carry out in Committee the modifications for which many of its advocates were themselves desirous.

The Earl of ARUNDEL and SURREY approved most cordially of the Bill, and intimated his intention of voting for the second reading. As an English Catholic, he vindicated the much maligned order of the Jesuits, whose expulsion from foreign countries had been the result of atheistical rather than religious feelings. He strongly deprecated the idea of subjecting to restrictions the regular orders of clergy in a country where it was notorious that the number of priests was not anything like adequate to the spiritual requirements of the Catholic portion of the community. As a Catholic layman of this country, he felt this deficiency very severely. There were not in this country enough of priests by half; and in this season of Lent, when their duties were so very severe, they were so much overworked that they were ready to faint at the altar.

Mr. GOULBURN said, to that portion of the Bill which referred to the recognition of the Pope's ecclesiastical authority by Roman Catholics, he was not disposed to object; but he was decidedly and irreconcilably hostile to that which was the most important element, and in fact the essence of the Bill, namely, the repeal of those enactments which accompanied the Emancipation Act of 1829, and which he, as a man of honour, felt himself bound to uphold, he having been one of those who was instrumental in bringing in the measure in question. He was not prepared to support the second reading of the Bill, because, in connexion with an important alteration of which he could not in any respect approve, there were superadded provisions for the repeal of certain obsolete statutes which nobody could think of defending. He would vote against the measure.

Mr. WATSON expressed a confident expectation that he would be able, in Committee, to meet the views of the right hon. Baronet opposite, and of the right hon. Gentleman the Paymaster of the Forces.

The House divided:—Ayes, 102; Noes, 99. Majority, 3.

List of the AYES.

Acland, T. D.
Aldam, W.
Arundel and Surrey, Earl of
Baine, W.
Baring, rt. hon. F. T.
Bentinck, Lord G.
Blake, M. J.
Bodkin, J. J.
Bouverie, hon. E. P.
Bowring, Dr.
Bright, J.
Brotherton, J.
Brown, W.
Browne, hon. W.
Buller, E.
Butler, P. S.
Cayley, E. S.
Christie, W. D.
Collett, J.
Craig, W. G.
Crawford, W. S.
Dalmeny, Lord
Dennistoun, J.
Duncan, G.
Ebrington, Visct.
Ellis, W.
Evans, W.
Evans, Sir D. L.
Fielden, J.
Fitzgerald, R. A.
Forster, M.
Gibson, rt. hon. T. M.
Gisborne, T.
Graham, rt. hon. Sir J.
Grey, rt. hon. Sir G.

Hall, Sir B.
Hatton, Capt. V.
Hawes, B.
Herbert, rt. hon. S.
Hervey, Lord A.
Hindley, C.
Howard, hon. C. W. G.
Howard, P. H.
Hume, J.
James, W.
James, Sir W. C.
Johnstone, Sir J.
Kelly, J.
Labouchere, rt hon. H.
Lambton, H.
Leader, J. T.
Lincoln, Earl of
Macaulay, rt. hon. T. B.
M'Donnell, J. M.
Mangles, R. D.
Manners, Lord J.
Marshall, W.
Marsland, H.
Milnes, R. M.
Mitcalfe, H.
Moffatt, G.
Molesworth, Sir W.
Morpeth, Visct.
Napier, Sir C.
O'Brien, C.
O'Brien, W. S.
O'Connell, D. junr.
O'Connell, M. J.
O'Connell, J.
O'Conor Don
Ord, W.
Parker, J.
Pattison, J.
Pechell, Capt.
Peel, rt. hon. Sir R.
Philips, M.
Plumridge, Capt.
Price, Sir R.
Pusey, P.
Ricardo, J. L.
Rich, H.
Roebuck, J. A.
Romilly, J.
Russell, Lord J.
Scott, R.
Scrope, G. P.
Somerville, Sir W. M.
Stanley, hon. W. O.
Stansfield, W. R. C.
Stuart, Lord J.
Stuart, W. V.
Thornely, T.
Tufnell, H.
Vane, Lord H.
Walker, R.
Wall, C. B.
Warburton, H.
Ward, H. G.
Wawn, J. T.
Winnington, Sir T. E.
Wyse, T.
Yorke, H. R.

TELLERS.

Watson, W. H.
Escott, B.

List of the Noes.

Ackers, J.
Acton, Col.
Antrobus, E.
Arkwright, G.
Austen, Col.
Baskerville, T. B. M.
Beckett, W.
Bennet, P.
Beresford, Major
Blackburne, J. I.
Boldero, H. G.
Bowles, Adm.
Broadley, H.
Brooke, Lord
Bruen, Col.
Bunbury, W. M.
Carew, W. H. P.
Chandos, Marq. of
Chapman, A.
Chelsea, Visct.
Chichester, Lord J. L.
Clayton, R. R.
Cole, hon. H. A.
Conolly, Col.
Cripps, W.
Deedes, W.
Dick, Q.
Douglas, Sir H.
Duckworth, Sir J. T. B.
Duncombe, hon. A.
Duncombe, hon. O.
Egerton, W. T.
Egerton, Sir P.
Entwisle, W.
Estcourt, T. G. B.
Farnham, E. B.
Finch, G.
Forbes, W.
Forester, hon. G. C. W.
Fox, S. L.
Frewen, C. H.
Fuller, A. E.
Gladstone, Capt.
Godson, R.
Goulburn, rt. hon. H.
Grogan, E.
Hall, Col.
Hamilton, G. A.
Hamilton, W. J.
Hamilton, Lord C.
Harris, hon. Capt
Henley, J. W.
Hodgson, R.
Hope, Sir J.
Hornby, J.
Houldsworth, T.
Hughes, W. B.
Hussey, T.
Jones, Capt.
Kemble, H.
Kirk, P.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Lindsay, hon. Capt.
Lockhart, W.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Manners, Lord C. S.
March, Earl of
Masterman, J.
Maunsell, T. P.
Maxwell, hon. J. P.
Meynell, Capt.
Newdegate, C. N.
Northland, Visct.
O'Brien, A. S.
Packe, C. W.
Palmer, G.
Plumptre, J. P.
Rendlesham, Lord
Repton, G. W. J.
Richards, R.
Rushout, Capt.
Shirley, E. J.
Shirley, E. P.
Sibthorp, Col.
Smith, A.
Spooner, R.
Stanley, E.
Stuart, H.
Stuart, J.
Tollemache, J.
Verner, Sir W.
Vesey, hon. T.
Vyse, R. H. R. H.
Walpole, S. H.
Yorke, hon. E. T.

TELLERS.

Inglis, Sir R H.
Shaw, rt. hon. F.

Bill read a second time, and ordered to be committed.

House adjourned at a quarter before Six o'clock.

HOUSE OF LORDS,

Thursday, February 25, 1847.

Minutes.] Public Bills.—1ª Labouring Poor (Ireland).

Petitions Presented. By the Earl Fingal, from the Drogheda Union, for the Adoption of such Measures as will insure the People of Ireland such a Supply of Food as will save them from Starvation; and for Levying a Uniform Rate throughout the Districts of Ireland in proportion to the Costs incurred in each Poor Law Union.—By the Earl of Roden, from Shipowners of Drogheda, for the Adoption of Measures for Abolishing the present system of Taxation on Shipping; and from Carlow, and Wexford, that a Solemn Day be set apart throughout the United Kingdom for Fasting, Humiliation, and Prayer, for the Alleviation of the present Distress in Ireland.

CAPTAIN WYNNE.

Lord BROUGHAM inquired if the answer of Captain Wynne had been laid on the Table?

The Earl of CLARENDON replied in the negative.

Lord BROUGHAM inquired if the noble Lord had any information as to complaints which he had seen publicly made against landed proprietors in Ireland, that they were availing themselves of the measures of relief in that country, and were placing their relatives on the staff of the works. If these statements were not founded on facts, they certainly ought to be contradicted.

The Earl of CLARENDON replied, that he had received no information on the subject, but had no doubt where so many persons were employed on the staff, that some landed proprietors might have relatives among them.

The Marquess of WESTMEATH thought the noble and learned Lord (Lord Brougham) should take care, whenever he brought up matters of this kind, to be prepared with particular cases, in order that they might be specifically investigated. Considering the cry that was going against Irish proprietors, it was right that inquiry should be made into such matters, and, for his own part, the closer they were examined, the better satisfied he would be.

Lord BROUGHAM was quite sure of it. The statement to which he particularly referred, appeared in an Irish paper, and was to the effect, that a landed proprietor and a clergyman in the county of Sligo had procured for their sons the situations of inspectors under the Board of Works, at a very considerable salary, and that in the district to which they had been appointed, only seven labourers were receiving pay.

The Marquess of CLANRICARDE could not say whether the case to which the noble and learned Lord referred, were true or not; but he could not see any reason why the sons and relatives of persons of property, qualified in other respects, should not be employed under the board in any locality in which they had no local interests likely to interfere with the impartial discharge of their duties.

THE IRISH LANDS OF THE LONDON COMPANIES.

The Marquess of LONDONDERRY said, he would take the present opportunity of asking the noble and learned Lord (Lord Brougham), who had laid so much blame at the door of the Irish proprietors, for his advice on a matter connected with his (the Marquess of Londonderry's) position as a landholder in the county of Londonderry. The London Companies, as was well known, possessed much property in that county, and he and several other proprietors held under them, by leases, many of which were nearly expired. In consequence of their position, they could not avail themselves of the intentions of Government in passing the Property Act, as those who held property in fee could. The tenantry were for the most part small holders to the extent of ten or fifteen acres, and were utterly unable to pay their rents, or even to support themselves and their families. He wished to know from the noble and learned Lord, if the London Companies could be compelled in any manner to put those who held under them in such a position as would enable them to borrow money like proprietors in fee. He could see no prospect but starvation for the people if the Companies did not assist them. They would not even tell the proprietors if they would renew the leases or not. There were also many estates held in trust with the view of providing funds, applicable to paying the fines for renewal from those Companies; but the trustees were allowed no discretion, and could not allocate any of the trust money to the relief of the poor.

Lord BROUGHAM could see no possible grounds for making any distinction between those Companies and other landed proprietors; and the noble Marquess might depend on it that they could not escape, and would be liable in every case where the landlord would be liable under the same circumstances.

The Marquess of LONDONDERRY inquired if the noble and learned Lord would give him a guarantee in case he (the Marquess of Londonderry), as a landlord, borrowed money under the Act, that the Company would be answerable for it?

Lord BROUGHAM: In answer to that, I can only tell the noble Marquess that our profession give opinions but not guarantees.

The Marquess of CLANRICARDE begged to remind the noble Lord, that the money to be advanced under the Act to which he referred, was to be repaid in twenty-two years, and was charged on the land, not on the proprietor. If the landlord made leases, the land was still liable, and it was upon the security of the land the money was advanced.

BUSINESS OF THE SESSION.

Lord STANLEY gave notice that he would, to-morrow evening, ask a question of the noble Marquess opposite—which he had intended to ask that evening—with respect to the course Her Majesty's Government intended to pursue as to the general business of the Session. They were now in the sixth week of the present Session of Parliament. Very general complaints had been made that at the commencement of each Session, and for some time after, their Lordships' House had no business of any sort or kind before them; but that at the end of the Session, when the Members were wearied and fatigued with their attendance, they were overwhelmed with the mass of business sent up to them. This complaint had been made Session after Session; but he never remembered one in which, in the middle of the sixth week, there was not one single Bill of any kind lying for the consideration of the House, and not one subject for discussion, except the notice which stood on the Paper for to-morrow in the name of the noble Lord behind him. He should also ask the nature of the duties intended to be performed by the Commission which had been recently appointed for the purpose of discharging some of the functions hitherto performed by the Chancellor of the Duchy of Lancaster.

House adjourned.

HOUSE OF COMMONS,

Thursday, February 25, 1847.

Minutes.] Public Bills.—2° Poor Rates (Ireland).

Reported. — Markets and Fairs Clauses; Commissioners Clauses; Gas Works Clauses; Water Works Clauses.

Petitions Presented. By Mr. Cowper, from Electors of Hertford, and Viscount Villiers, from Inhabitants of Bilston, for Alteration of Law respecting the Registration of Voters.—By Mr. J. O'Connell, from New Ross (Wexford), for Repeal of the Union with Ireland.—By Mr. M. Gibson, from Rev. John Jordan, Vicar of Enstone, for Reform of the Church of England.—By Mr. J. O'Connell, from Kilkenny, and Dublin, for Abolition of Ministers' Money (Ireland). – By Captain Harris, from Southampton, and Mr. Rashleigh, from Cornwall, against the Roman Catholic Relief Bill.—From Marylebone, for Inquiry respecting the Rajah of Sattara.—By M. L. Bruges, from Attorneys and Solicitors of Devizes, for Repeal of Stamp Duty on Attorneys' Certificates.—By Mr. Brotherton, from Cirencester Temperance Society, against the Use of Grain in Breweries and Distilleries.—By Viscount Newry and Morne, and other Hon. Members, from several places, for Reduction of Lighthouse Dues. – By Mr. J. O'Connell, from Macroom, against the Proposed Measure respecting Rum.—By Sir FitzRoy Kelly, from Cambridge, respecting Remuneration to Tax Assessors and Collectors. —By Mr. Aldam, from Leeds, and Mr. Brown, from Staleybridge, for Reduction of Duty on Tea.—By Mr. T. Duncombe, from Tower Hamlets, for Increase of Duty on Willow Squares.—By Mr. Divett, from Exeter, for Repeal of Window Duty.—By Mr. T. Duncombe, from Bradford, for Inquiry respecting the Anatomy Act.—From George Henry Drew, of Bermondsey-street (Surrey), Attorney-at-Law, for Production of Papers relative to the Bermondsey Improvement (No. 2) Bill, and Kent Railway Bills (1845).—By Mr. Hume, from Manchester Commercial Association, respecting the Commercial Position of Cracow.—By Mr. Cowper, from Greengrove, and Mr. Plumptre, from Crayford, in Favour of the Ten Hours Factories Bill.—By Mr. Brotherton, from Manchester, and Sir W. James, from Kingston-upon-Hull, against the Factories Bill.—By Mr. J. O'Connell, from Cork, for Relief of Destitute Poor (Ireland).—By Mr. S. Crawford, from Broughshane, for Alteration of Law relating to Landlord and Tenant (Ireland).—By Mr. Butler, from Kilkenny, respecting the Municipal Corporations (Ireland) Act.—By Mr. Hinde, from Northumberland, for Inquiry into the Navigation Laws.—By Mr. Gore and other Hon. Members, from several places, for Alteration in the Poor Law (Ireland) Bill.—By Mr. E. Shirley, from Monaghan, against the Poor Relief (Ireland) Bill.—By Sir W. Heathcote and other Hon. Members, from several places, for Repeal or Alteration of the Poor Removal Act.—From Liverpool, against allowing Railway Companies to use their own Steam Vessels.—From Inhabitants of St. Martin-in-the-Fields, for Alteration of Law respecting the Rents of Houses, &c.—By Mr. Brotherton, from Guardians of the Salford Union, against the Law of Settlement.—By Colonel T. Wood, from Guardians of the Staines Union, for Alteration of the Law of Settlement.—By Mr. T. Duncombe, from Members of the National Association of United Trades, for Alteration in the Wages Act.

TENANT RIGHTS (IRELAND) BILL.

Mr. SHARMAN CRAWFORD rose for the purpose of moving for leave to bring in—

> "A Bill to secure the rights of occupying Tenants in Ireland, and thereby to promote the improvement of the soil, and the employment of the labouring classes."

He said, that having so recently addressed the House in detail upon this subject, it was not necessary for him now to go over the same ground, especially as most of his statements and positions had not been refuted. He wished, however, to be allowed to show how greatly the improvement of the soil and the employment of the poor would be promoted by securing the rights of the tenants. The ruin of Ireland was not small holdings, but that small holders were not secured as regarded expenditure in the cultivation of the soil. In the county in which he resided, the tenant right was in full operation; and there was no estate in Ireland more flourishing than that of the Marquess of Londonderry, upon which that tenure prevailed. The object of his Bill was to secure to the tenants in every part of Ireland the benefit of the system in its fullest extent. The improvement which would result to the land in Ireland, might be calculated at 6,000,000*l.* annually, which would support 1,911,000 people every year, at the rate of five to a family. He divided the small holdings into three classes, and urged that if upon the second class only 10*l.* in every case were expended, the effect would be most importantly to stimulate industry. They knew that in this time of distress the deposits of the farmers in the savings' banks were doubled. The large farmers were making large profits, but would not expend them in the employment of labour; they put them in the savings' banks, and solely because they had no security of occupancy. Such a proposal as he now made, was absolutely necessary to secure any improvement. Under the system of middlemen, there was no security for the occupying tenant, and, therefore, he did not improve; but give him a right of tenure, and let him be paid by the landlord for the value of his labour and improvements, and you would secure that improvement by the occupying tenant which otherwise did not and could not exist. It would not be necessary for him to detain the House longer, as he had reason to hope there would be no opposition to bringing in the Bill.

Mr. LABOUCHERE said, it certainly

was not his intention to object to the Motion; he thought the House was indebted to the hon. Gentleman, and it was very desirable that one who had paid so much attention to the subject should have shaped the Bill before the House. He had before stated that it was the intention of Government to introduce a measure for the same object during the present Session. Any observations he might have to make, would be best deferred to that time. In the mean time, he gave his willing assent to the introduction of the measure, though, until he had examined it, he could not state how far he approved of the details.

Leave given.

POOR RATES (IRELAND) BILL.

Mr. SHARMAN CRAWFORD moved the Second Reading of this Bill, for better securing the levy of poor rates in Ireland. The principle he contended for was, that the rates payable by the landlord and by the tenant should be separate, and the landlord and tenant be separately liable for the payment of those rates. He should be willing to adopt any improvements that might be suggested in the clauses. His great object was, that the poor tenant might not be obliged to pay his landlord's rates as well as his own. For this purpose he proposed that if the rates due by the landlord were not paid, and means could not be found of levying them, those rates should be liable to be levied by application to the Court of Chancery, and a receiver-general put on the rents of the estate on which those rates were due. The Irish Tithe Act furnished a precedent for this, and the clause he had inserted was taken from that Act. He should propose to postpone the Committee till after the other Bills with respect to Ireland had passed.

Colonel CONOLLY entertained objections to this Bill, and especially to the last two or three clauses of it. Experience proved that separate rates would be more difficult to levy. One clause gave to the guardians the power of pronouncing who was poor and who was not. He thought that too great a latitude to be given by Parliament. Other steps were utterly uncalled for, such as putting a receiver on an estate because the rates were not paid. If rates had been in any case withheld by landlords, it was because their liability was disputed. By another clause the collector was made the judge of what he was to distrain, and was forbidden to sell articles belonging to poor occupiers, such as necessary implements, or pieces of furniture.

Sir G. GREY thought the sixth and seventh clauses would require full consideration before they were adopted. He did not understand the hon. Member to object to the earlier clauses, dividing the rate due by the landlord from that due by the occupier, and giving a remedy against the landlord for his portion. He thought that principle a sound one; whether any inconvenience would follow from its practical adoption would be better discussed in Committee.

Captain JONES thought that when the clauses came to be considered, very grave objections would be found against some of them. At present the ordinary remedy was against the occupier of the estate; but the Bill would make it necessary that a portion of the rate should be collected from the landlords. Many of them did not reside, and considerable difficulty would be found in getting at them.

Mr. P. SCROPE could not omit this opportunity of recommending to the House extension beyond its present limits of the exemption of the poorer classes of occupiers from rating.

Mr. B. ESCOTT thought that two more important measures had never been introduced into that House than those of his hon. Friend, and he was glad that Ministers intended to undertake the preparation and introduction of Bills on the same subject. If such a measure as the first introduced by his hon. Friend, were made generally applicable to all parts of the United Kingdom, not only would it be a great relief to the occupiers of land, but it would very much supersede the necessity of the second. He hoped Ministers would direct their attention to a measure extending to the tenants of England as well as Ireland. He should be sorry if the opportunity were missed of securing a more permanent occupancy, and greater security for the outlay of capital, by tenant-farmers than now existed. By far the greater part of agricultural distress depended upon this very point, that want of security in their tenancy prevented occupying tenants from laying out as much money in employing labour as they otherwise would.

Mr. S. CRAWFORD said, he would not insist on the clause to which the hon. and gallant Member opposite objected, if any better mode could be pointed out of exempting the poorer class.

Bill read a second time.

MILITARY ACCOMMODATION.

Mr. HUME having moved for a number of returns relative to barracks and the accommodation of the military, remarked that his object in moving for the above returns was to submit to the House a complete review of the barrack system. He thought the time had come when a great reduction ought to be made in the number of barracks; and when the Government ought to avail themselves of the use of steam in the conveyance of troops to the districts in which their presence might be necessary, from barracks placed in central situations. The great degree of abolition of corporal punishments which had taken place latterly, led him to hope for a better class of men in the army; and he was anxious, therefore, by better accommodation, to render the condition of soldiers to be desired rather than shunned. He had served himself in India, and he remembered that in the native corps it was considered the greatest possible punishment to be discharged; and when a vacancy occurred, there were always fifty or sixty applicants, from which a selection had to be made; and he did not see why the condition of a soldier should not be equally desirable in this country. He believed the state of barracks generally would be found to be very objectionable both as to drainage, ventilation, and cleanliness; and the married and unmarried were crowded together with a want of all respect for that decency which ought to be observed. The inquiry he moved for would bring the matter before the Government, and, he trusted, occasion a great improvement in the present system. They had just passed a Bill which required the artisan to be supplied with water and the means of cleanliness; and it was a great mistake to deny equal privileges to their own troops. In Plymouth barracks, the only supply of water was in the court yard; and although the situation of the waterworks was such that it might be laid into every room, every drop had to be carried from the court yard; and the number of men being seventeen in each room, it was impossible that the air could be kept in a state which would not cause disease and discomfort. Another point of complaint was with respect to the canteens, one of which Government allowed in each barracks. This was most objectionable as regarded the morals of the men and their discipline. In other parts of the world, coffee-rooms were kept for the soldiers to resort to, and the profits were devoted to the support of reading rooms and other amusements. The profits of the canteen went to the Treasury; and he considered it a meanness in Government to receive such a paltry sum from such a source. He wished for an inquiry, for the purpose of instituting one uniform system; and he was happy to find there was no want of inclination on the part of the officers and the War Office to concur in such a reform; and the House, he was sure, would not begrudge the expense which might be occasioned by carrying out improvements which would tend to the health, comfort, and better accommodation of the soldier. In the end, he was certain the system he recommended would lead to great economy; and it was with that view he now moved for these returns.

Colonel FOX had no objection to give the returns; but he thought the information sought, or a great portion of it, was already before the House.

Returns were ordered.

House adjourned at a quarter past Seven o'clock.

HOUSE OF LORDS,

Friday, February 26, 1847.

Minutes.] Public Bills.—*Received the Royal Assent.*—Destitute Persons (Ireland).

Petitions Presented. From Guardians of the Staines Union, for the Repeal of the present Law of Settlement, and for a National Rate for the Relief of the Poor.—From Cremorne, Monaghan, for the Maintenance of the Electoral Division System of Rating in any Measures for the Temporary Relief of the Poor in Ireland.

BUSINESS OF THE SESSION.

Lord STANLEY said, that in the absence of the noble Marquess (the Marquess of Lansdowne) yesterday evening, he gave notice of his intention of putting a question to him that night on the subject of public business, to which it would be well for the convenience of their Lordships and the country, if Her Majesty's Government could give an answer. He adverted then to the state in which public business appeared to be in the other House, and to the state of no business in which their Lordships' House appeared to be at the present time. This was the sixth week of the present Session of Parliament, which had sat at an unusually early period, and no business had come before them except some temporary measures for the relief of distress in Ireland; and at that very moment, with the exception of the business which stood on the "Votes" for that day —the notice of his noble Friend (the Earl of Eglintoun), and the Bill for granting indemnity to the Lord Lieutenant of Ireland—not one single Notice and not one single Bill was on their Lordships' "Votes," or was ready to be submitted to their consideration. And from what he could learn of the proceedings of the other House, it would appear that in the course of that night, and of the next week, the principal business—indeed almost the exclusive business—would relate to the provision for the Estimates, which would make no advance in public business, and would not facilitate any measure with regard to Ireland. The Irish measures for providing permanent relief for the distress in that country, were, as he believed, postponed to a period so late as the 8th of March, and he thought it impossible they could pass through the House of Commons earlier than some time between the 15th and 22nd of March, which would be very near the Easter recess. It appeared to him very much to be regretted that their Lordships should have arrived at so late a period of the Session without making any progress in public business, and without having any business of importance before them. He admitted that, looking to the Speech from the Throne, the promises and expectations of business to be brought forward that Session, were not of a very extensive character; for, with the exception of the measures for the relief of distress in Ireland, the only measure mentioned in that Speech was a sanatory measure for the health of towns. He was very well aware that, in consequence of the jealousy of the House of Commons, which, as he now and always thought, was carried to an extreme, not to say to an unnecessary and inconvenient extent, great difficulties existed in originating measures which should contain money clauses, such as those relating to the health of towns or to the improvement of the law, or like that under the care of his noble Friend with respect to convict discipline, which might, as he thought, very properly and very successfully, be originated and discussed in their Lordships' House with much greater advantage in the first instance than elsewhere. If that were done, their Lordships would then have more leisure at the end of the Session to consider the mass of business which was generally thrown upon them in July and August, and which was in consequence got through very hastily and carelessly. The questions he therefore wished to put to Government were—first, whether it was their intention to introduce any measures of importance for their Lordships' consideration; and if so, of what nature they were, and at what period between this time and the Easter recess they would be brought before the House?—and secondly, whether, as far as Government could form an opinion on the subject, it was likely their Lordships would have any business of importance sent up to them before that time from the other House of Parliament?

The MARQUESS of LANSDOWNE could assure the noble Lord he would be very glad to give him any information on this subject. When the noble Lord made a complaint that more business had not been transacted at an early period of the Session, he only repeated what had been said, from time to time, when the noble Lord was himself in office, up to the present Session, when it could be met with a much more satisfactory answer than before. Within the last hour, he (the Marquess of Lansdowne) had looked over the Journals of the House, and it appeared that much more business had been transacted during the last six weeks of this present Session, than for a corresponding period in any other Session when the noble Lord was in power. He would not select the last Session, because the noble Lord was not then in office; but going back to the Session before, in 1845, when he was in office, and looking to the Speech from the Throne, which announced many measures of importance, he found the following results. Parliament met on February 14. Taking the first seven weeks of that Session, he found that the following were the legislative proceedings for that time:—On February 24, the Bill for the Abolition of Deodands was read a first time; on the 28th, the Bail in Error Bill was read a second time; on the 10th of March, the Jewish Disabilities Bill was read a second time, and Pauper Lunatics (Ireland) Bill a first time; on the 14th, the Jewish Disabilities Bill was read a third time, and the Stamp Duties Assimilation Bill a third time; and on the 17th, the Property Tax was read a first time, and the Pauper Lunatics (Ireland) Bill a second time. But not one of those measures was passed, with the exception of one, the Jewish Disabilities Bill, and the Stamp Duties Assimilation Bill. That constituted the whole of the business for more than the first six weeks of the Session 1845. He did not make the statement as any attack on the Government of that day to which the noble Lord belonged, and which was, no doubt, desirous of bringing business before their Lordships' House, but for the purpose of calling to his recollection that in that, as in every Session, very great obstacles existed to the introduction of Bills to their Lordships at an early period, which might account for the circumstance that for nearly seven weeks in 1845 they had actually introduced and passed but one Bill. He would now state the Bills which had passed during the six weeks of the present Session. Parliament met on the 19th of January. No less than six important Bills, instead of one, had passed through all their stages up to this time: the Buckwheat Importation Bill, the Distilling from Sugar and Brewing from Sugar Bills, the Chelsea Pensioners Bill, the Destitute Persons (Ireland) Bill, and the Navigation Laws Suspension Bill. All these measures had passed through every stage in their Lordships' House, and he could confidently assert they constituted altogether an infinitely larger amount of important business than had ever been passed during the first six weeks of any past Session. He did not mean to say that this was in itself an excuse for neglecting to bring forward measures at the earliest possible period of the Session; and he wished to take that opportunity of stating to their Lordships how public business stood with respect to the views of Government, and for the purpose of giving the noble Lord every information in his power. He had hoped that some business would have been brought before their Lordships; but obstacles had arisen to it—partly from the very important discussion in the other House, which had not been brought to a successful termination—he meant the long and protracted debate on the question of assisting railways in Ireland by Government money, which had caused great delay to the progress of business. In consequence of it Parliament was brought to a stage of business when it was necessary to consider the financial condition of the country; and in doing so their Lordships would perceive that, in point of fact, the other House was considering Irish business, because though its immediate progress might be delayed by the consideration of the Ways and Means of the year, the existence of Irish distress—now admitted by all parties—required very large sacrifices of public money for its relief; and it therefore became indispensable to acquaint the other House with the extent of that demand, and to take the sense of the House upon it, with a view to facilitate the entertainment and progress of the measures for Ireland, which could only be considered with reference to large financial questions. These were the reasons which made it impossible to bring on the Irish measures before the 8th March; but he could state confidently that those Bills would be proceeded with on that day. As to the time they would take to pass through the other House, and as to the discussion which would arise upon them, he need hardly say it would be impossible to state positively when it would be brought to a close. It was not correct that no notice of public business to be brought before the House had been given to their Lordships. He stated a few days ago that one Irish Bill, which had undergone great alteration on the part of his noble and learned Friend (the Lord Chancellor), and which required to be weighed with the greatest care, for the purpose of enabling proprietors to sell parts of their estates, would be laid very soon on the Table. Much progress had been already made with it; and the noble Lord must recollect how many communications there had been necessarily received on the subject. It was also the intention of Government to introduce some very important Bills with respect to the administration of the penal laws, the reformation of criminals, and the improvement of prisons; but the consideration of the sanatory condition of towns could not be originated in that House—they must take time to consider the subject; and the noble Lord was aware there were great obstacles in the way of introducing measures in that House, owing to the jealousy, often, as he thought, unnecessary, with which their conduct was watched by the other House in matters of that kind.

LORD BROUGHAM observed, that the time which had elapsed since November might have been employed in the preparation of those Bills. He regretted that more measures had not been introduced into their Lordships' House, and saw no reason why certain classes of Bills should not first be submitted to their Lordships, provisions in regard to penalties being reserved for the consideration of the other House. He was glad to learn that there was a prospect of legislation on the criminal law; and when he observed that unprofessional persons were proposing measures on the subject (Sir John Pakington's Bill in reference to juvenile delinquency was an example), he felt inclined to press for the appointment of a Committee to take the whole matter into consideration. But for the notice just taken of the subject by the noble Marquess, he (Lord Brougham) certainly should have proposed a Committee upon the matter which he opened to their Lordships when presenting the Liverpool petition last week, and he did not know whether he should not do so still, as he had received several important communications since, and among the rest an entire denial of some parts of the results of the Liverpool experience.

The EARL of WICKLOW said, if blame were attached to Her Majesty's present Government for not bringing forward measures in that House at an earlier period of the Session, with much greater weight it would attach to those Governments who had preceded them, who had been strong, and had known themselves to be strong in that House. And the less ground of complaint was there of a Government who felt that they were weak. With reference to the two Irish measures which were now before the other House of Parliament—one being a Bill for granting a million and a half of money to the Irish landlords, on the security of their estates; and the other, a Bill for making very great and important alterations in the Irish poor law—the noble Lord at the head of the Government had stated that these two Bills must go *pari passu* through that House. If this were not the case, he (the Earl of Wicklow) had no doubt that one or the other of them would come up to that House long before the Easter recess; but by thus coupling them together, in order to send them up at one and the same time, the probability was that unless the Poor Law Bill was considerably altered, they would neither of them come up at all during the present Session. Now, he denied that the Government had any right thus to couple the two Bills. The Bill for making advances to the Irish landlords was connected with, and formed part of, a question which was passed last year. When the late Government brought forward their Corn Bill, they promised that it should be accompanied by certain other measures which would be for the advantages of the landed interest of the united empire. These measures they called measures of compensation for the passing of the Corn Bill. One of them was for advancing two millions of money to the landed proprietors of Great Britain; the other for advancing one million to proprietors in Ireland. The latter Bill, however, was drawn up in so faulty a manner, that a pledge was given at the close of the Session that it should undergo amendment on the reassembling of Parliament in the present year. As regarded that Bill, therefore, he contended that the Government had no right whatever to keep it back, and to say that it must come before their Lordships *pari passu* with the Poor Law Bill, and which Bill might not pass at all; thus inferring, that if the one did not become law, the other should not be given to the country. Now, this was all very well as far as a half million of the money was concerned, which was an increase on the original sum intended to be granted; but as to the million, he denied their right to postpone the measure, for it was to be given as compensation for the measure passed last year.

The MARQUESS of LANSDOWNE said, it was quite true that an impression had existed that it would be desirable to consider the measures to which the noble Earl had alluded—namely, that for advancing money to the landlords, and that for altering the Irish poor law, together, inasmuch as the first would afford very great accommodation to the landlords, whilst the second would impose a burden upon their property. The noble Earl had stated that one Bill was entirely independent of the other; and so far as related to 1,000,000*l*. out of the 1,500,000*l*., which the Bill proposed to appropriate for the advantage of Irish landlords, the noble Earl was quite correct; but he was not correct with regard to the benefit to be derived by the landlords under the Bill as formerly passed, and under the Bill as it was now proposed to be passed. It was true that in the last Session, and under the late Government, it was announced in this and the other House of Parliament, that a sum of 1,000,000*l*. was intended to be advanced to the Irish landlords for the purpose of drainage in Ireland, and at the same time that 2,000,000*l*. were to be advanced for the like purpose to the landlords of Great Britain. But the present Bill was not merely a Bill which was promised last Session, for the purpose of extending that benefit to entailed estates in Ireland; but a larger amount of benefit was proposed in this Bill to be granted to landlords, by greatly extending the objects for which the advances were to be made, so as to include every species of substantial and permanent improvement that could be made on any estate. This Bill being regarded as a sort of compensation for the other, it was deemed advisable that the two should be considered together; and he had no doubt when the measure came into operation, their Lordships would find that it worked very beneficially for the permanent and substantial improvement of Ireland.

THE NEW HOUSES OF PARLIAMENT.

LORD BROUGHAM said, that though he feared that this conversation held out very small hope of an early termination of the Session, yet he would fain ask his noble Friend, what prospects their Lordships had of speedily inhabiting a more habitable place than that in which they were then assembled? His anxiety to enter the new palace had not been diminished by what had happened to him that day, when he enjoyed the gratification of visiting the new Houses, and seeing the most magnificent building that he had ever seen in any part of the world, doing the greatest possible honour to the very skilful, learned, and ingenious architect, both in the interior and the exterior of the splendid palace which was to be devoted to the two branches of the Legislature. If anything could mitigate his dislike of Gothic architecture, it was what he had seen that day. True, it had not altered his opinion with reference to that style; but this he would say, that what he had seen to-day, fully confirmed his original expectations, and that if anything could make Gothic architecture palatable to those who had a totally different taste, it was the skill which had been exhibited by that most eminent architect (Mr. Barry), in the design and construction of the new Houses of Parliament.

The MARQUESS of LANSDOWNE feared that he could not indulge his noble and learned Friend's hopes so far as to confirm any opinion which he might entertain with regard to a speedy prospect of an early termination of the Session. He could state, however, about the period when their Lordships might expect to assemble in their new House. He owed it to the architect, of whom his noble and learned Friend had spoken in such handsome and justly-deserved terms, to say, that he had also the inferior but not-to-be-despised merit of keeping the engagements which he had entered into with that House at the end of the last Session of Parliament; for he (the Marquess of Lansdowne) was enabled to state, that even if it were the wish of their Lordships to occupy their new House earlier than Easter, means might be found of preparing it for them before the end of the next month. But he thought their Lordships would agree with him that the adjournment which usually took place at Easter, would be the most convenient time for completing those arrangements which would enable them to be received there. He could confidently state, on the authority of Mr. Barry, as well as on his own inspection, that there could not be the slightest doubt that in the Easter week every preparation would be made for their Lordships' reception the very first day after the recess.

LORD BROUGHAM would take that opportunity of supplying an inadvertent omission which had occurred in the observations he had addressed to the House. He begged to state that a gentleman of great experience had assured him that the fresco paintings designed and superintended by Mr. Dyce had been most successful.

DUCHY OF LANCASTER.

LORD STANLEY hoped he should be excused if he put one more question to the noble Marquess opposite. He wished to ask what was the nature of the duties to be executed by Commissioners, and which were heretofore performed by the Chancellor of the Duchy of Lancaster? Now he did not put this question by way of complaint, or for the purpose of finding fault, as, in point of fact, he knew not what had been done, or the motives which prompted the Government in what they had done, but purely for information; and he thought it was a subject on which Parliament ought to have some explanation from Ministers. About a week or a fortnight ago, a proclamation appeared in the *Gazette*, by which it appeared that Her Majesty had appointed three noble Lords, Members of that House, and two right hon. Gentlemen, Members of the other House, to be of Her Majesty's Council for the Duchy of Lancaster—and that, he believed, was the sole information which Parliament possessed in reference to the subject. He was quite aware that everything which related to the pecuniary concerns of the Duchy of Lancaster was a matter in which Parliament and the country had no direct interest; that the revenues of the Duchy were a portion of the revenues of the Crown, and were as much the property of the Crown, and as little the property of the public, as any of the revenues which belonged to their Lordships. They formed no part of the regular revenues which had been surrendered in lieu of the Civil List; and though they were vested in and under the superintendence of Parliament, yet the net receipts, whatever they might be, were paid to the privy purse, without control or let from Parliament. At the same time the management of the revenues was not wholly withdrawn from the superintendence of Parliament. He believed there was an annual account presented to Parliament of the expenditure incurred, and of the gross receipts and net receipts, and, generally speaking, of the entire management of the revenues. The presentation of this account did therefore, in his opinion, imply that Parliament exercised some control over the matter. Nay, more, the administration of the affairs of the Duchy, including the administration of its financial affairs, was vested in one of the responsible advisers of the Crown, who was generally a Cabinet Minister, and in that capacity responsible to Parliament for the management or mismanagement of the duties confided to him. Now, undoubtedly, if there had been any mismanagement, if there had been any extravagant expenditure upon the establishment, if there had been waste in the management of the revenue, or if there had been improvidence in the administration of the landed property, that was a subject into which Parliament had a right to inquire, and ought to inquire. And the noble and learned Lord opposite (Lord Campbell) would forgive him for saying that, as Chancellor of the Duchy, he and those who filled that office were responsible to Parliament for the manner in which they discharged their duties. The office of Chancellor of the Duchy of Lancaster was one that had been frequently intrusted to persons of far inferior abilities to its present possessor. It was one of the duties which had never been considered exceedingly onerous. Now, the noble and learned Lord, the present Chancellor of the Duchy, was not an infant—he was not a *femme couverte*—he was not subject to any mental or physical incapacity for business; and therefore he (Lord Stanley) did not then see, unless some explanation could be given, why the noble and learned Lord should not be considered as competent as any of his predecessors to perform the duties that devolved upon him. He wanted to know in what capacity the new councillors to the Duchy of Lancaster were appointed. They must have been appointed either to aid the Chancellor with their advice, or for the purpose of superseding the noble and learned Lord in a portion of his duties. In either case it was not unreasonable for Parliament to exercise control. They should know in what respect the administration of the office had been found deficient. All they knew was, that five gentlemen had been appointed as a Council by Her Majesty for the Duchy of Lancaster. What portion of the duties they had to perform, Parliament was ignorant of. Was there confided to them the revenues of the Duchy? Had they to look to the management of the landed property of the Duchy? Was their opinion as a majority to carry the different questions that came before them? — and this was not an unimportant consideration —or in what way was it that they were to divide or supersede the authority of the person who was responsible to Parliament for conducting the affairs of the Duchy? He wanted to know their object in appointing this subsidiary Council—whether any part of the duties vested in a responsible Minister of the Crown were to be vested in a permanent board appointed by the Crown, and not responsible to Parliament? He also wanted to know whether they discharged their duties in accordance with an oath taken by them; for, if he was not mistaken, they did take an oath. Then, in that case, he wanted to know by what authority the oath was administered—what were the terms, and what the nature of the oath? Indeed, he had asked a noble Lord who had been appointed as one of the Council, what where the duties he would have to perform; and his answer was, that he really had not the least idea; all he could say was, that he had taken an oath for the faithful discharge of his duties; but what the extent or the nature of those duties was, his noble Friend was as ignorant as any of their Lordships. All the public knew was, that there were commissioners appointed to discharge duties which had never before been considered too onerous or too laborious for one; and this at a time when the office was filled by one fully competent to perform them. And when persons were sworn to perform certain duties, and they did not know what those duties were, it was not unreasonable then, without finding fault with what had been done, and without expressing an opinion—indeed they were not then in a situation to form any opinion on the subject—but in such a state of affairs it was not unreasonable to ask Her Majesty's

Ministers what motives had led them to establish this new commission; what portion of the duties of the Chancellor it had taken upon itself to discharge; what portion of his duties were to be withdrawn from the Chancellor of the Duchy of Lancaster; what portion of his patronage was to be withdrawn from him and vested in the new Commissioners?

LORD CAMPBELL: None.

LORD STANLEY: Then was the patronage to be retained by the Chancellor, and the duties to be thrown on the subordinates? Were they to advise the Chancellor, or their opinion to overrule that of the Chancellor? He thought they ought to know what instructions had been given to these Commissioners, and what was the extent of their duties. These were facts which should be laid before Parliament, in order that they might the more clearly ascertain what these duties were.

LORD CAMPBELL thought the noble Lord had no cause to apologize for seeking information on this question; and he returned the noble Lord thanks for mentioning the subject, with respect to which a great deal of misconception had taken place, and, in ignorance of the facts, a great many foolish comments had been made. What the noble Lord had learned in private from any individual, now a Councillor of the Duchy of Lancaster, could hardly be meant to have been proclaimed in that House; and he should have thought the noble Lord would have had the highest respect for the individual to whom he had referred, because, as all parties were represented in the Council, that individual happened to be a most eminent protectionist. He would now give an answer to the noble Lord's inquiry. There was no commission, and no innovation in the ancient constitution of the Duchy of Lancaster, which remained now as it stood in the time of John of Gaunt. Ever since there had been a County Palatine and a Duchy of Lancaster, there had been a Chancellor with a Council attached to it. The Chancellor acted judicially, and made certain appointments. As the noble Lord knew, the Chancellor appointed magistrates, and on such subjects he acted *proprio motu;* on certain subjects he acted without the advice of any Council; but with respect to others he called in the assistance of the Council. There had been from time immemorial a Council, from which the Chancellor of the Duchy took advice with respect to certain subjects, such as the management of the property and finances of the Duchy; and this Council consisted of the Vice Chancellor, the Receiver General, the Auditor, and the Attorney General of the Duchy. Still it was found that a good deal of inconvenience had been experienced from the Chancellor not having the advice of those persons who were more competent to advise respecting the letting of land, the amount of rent to be demanded, and the manner in which this property, scattered all over England, and of a very miscellaneous description, should be managed. The Chancellor of the Duchy was a political office, and connected with the Government, while the Councillors had nothing political belonging to them. The Councillors, until the present addition to their number, were Mr. Horace Twiss, the eminent Chancery barrister, and who, as he (Lord Campbell) considered, belonged to the Tory party, Vice Chancellor; Mr. Lockhart, a gentleman most eminent in literature, Auditor; General Fox, a very gallant officer, Receiver General; and Mr. Ellis, an eminent barrister, Attorney General. These gentlemen, however, were very little cognizant of country affairs. The noble Lord had stated, that he (Lord Campbell) laboured under no legal incapacity. He certainly was not a *femme couverte*, or an infant; and he hoped he was not a lunatic: but he confessed his ignorance in respect to agricultural affairs. He was as ignorant of such matters as the noble and learned Lord opposite (Lord Brougham), who, on being taken through a field of green wheat by Mr. Coke, of Norfolk, exclaimed, "What a fine field of lavender!" His (Lord Campbell's) predecessor in his present office, though more competent to understand these matters, nevertheless felt great inconvenience; and it was intended under the late Government to make an addition to the number of Councillors in respect to the management of the property and finances of the Duchy. When the subject was mentioned to him (Lord Campbell), he most cordially approved of the suggestion, and strongly recommended Her Majesty to appoint, for the due management of Her revenues in the Duchy of Lancaster, additional Councillors, and he also recommended the individuals to be appointed. They were sworn in and took the usual oath which had been immemorially taken by the Councillors of the Duchy of Lancaster. He had to inform the noble Lord, that they did not supersede the Chancellor of the

Duchy; because, by the patent granted by the Crown, the Chancellor's opinion prevailed on all subjects coming under the consideration of the Chancellor and the Councillors. Still, if the Chancellor were a wise man, he would naturally take the opinion of those who were competent to give a sound one; and for himself, he had no hesitation in saying that he should be guided by the advice of such men as Lords Hardwicke and Portman, in matters relating to the letting of land. The former noble Lord had, indeed, undertaken—and this proved the value of the appointment—to examine a farm in the Bedford Level belonging to the Duchy, and to give advice with respect to the manner in which it should be managed. The noble Lord (Lord Stanley) might be assured, that the constitution of the Duchy of Lancaster had in no degree been altered; and if the noble Lord should ever receive the high commission of forming an Administration, his Chancellor of the Duchy of Lancaster would find the office unimpaired in its efficiency or privileges.

LORD BROUGHAM: It was certainly a most uncalled-for charge to say his noble Friend had betrayed the confidence of another noble Lord; for it was plain that noble Lord had no confidence to betray, as he was utterly ignorant on the subject. If "a multitude of Councillors" implied wisdom, the estates of the Duchy must be admirably managed; but the explanation of the noble and learned Lord, showed the affairs of the Duchy to be in a very strange position, for the Chancellor pronounced a sentence of self-stultification, and yet insisted that his opinion should be supreme. Had the offices of these Councillors been divided? Was the patronage divided? Was the salary divided? [Lord CAMPBELL: It was not worth dividing.] But the opinion of the Councillors should be taken on that, too. Thus, they and the Council had an incompetent Chancellor, and yet the incompetent was not bound to take their advice. And all this was done for an estate of 20,000*l*. His noble and learned Friend, to defend his own ignorance of all that appertained to land, told a story of him which was wholly without foundation, The real story was this—that when Lords Grey and Durham, Sir R. Wilson, and himself, were on a visit to Mr. Coke, his lamented Friend pointed them out some sterile land which he had brought into cultivation. Upon which he (Lord Brougham) said, "Show us some of your lands that really bear some good crops." Mr. Coke rejoined (alluding, no doubt, to Sir R. Wilson and himself): "What's the use of showing you people from London wheat fields, when you don't know wheat from lavender?" To come back to the Councillors. He saw that on his noble and learned Friend's agricultural Council there were two gallant officers accustomed to plough—the sea [*laughter*]; and one of them to plough the land [*laughter*]. He believed that the additional Council would not increase the rental of the Duchy to the value of 100*l*. a year, whilst he regretted to add, that having heard his noble and learned Friend's explanation, he was just as ignorant on the subject as before that explanation had been given. ["Hear!" and *laughter*.]

SCOTCH BANKING.

The EARL of EGLINTOUN rose to move for correspondence relative to the Joint Stock Banks in Scotland and Ireland Bill, and in particular, that relating to the North British Bank. Many of their Lordships might not be aware that under the old system of banking, Scotland had trebled her wealth within a short period. In 1845, however, important restrictions had been introduced—restrictions preventing the establishment of Joint Stock Banks of issue for ever after; and in order to know why it had been interfered with, he was anxious to see the correspondence which had taken place between Her Majesty's Government and the bankers of Scotland, relative to the progress of the Bill of last year. At that time they had been much alarmed for the safety of their one-pound notes; but they had been so pleased at finding them left untouched, that they did not carry on their opposition to the other portions of the plan with the vigour which they ought to have done, and a measure was carried which infringed on the system so long and so advantageously in use. By the Act for regulating Joint Stock Banks in England and Ireland, the paper circulation of Scotland was restricted to what had been the average of the three years previous to 1845; above that amount any issue must be based upon gold. He must confess that he did not think a case had been at all made out for meddling with the Scotch currency; however, as the mischief had been done, they tried to make the best of it. Had there been any failures of banks—had there been any distrust shown, or any disapprobation expressed as to the old system, by the people of Scotland, then probably some interference might have been justified; but the case was wholly otherwise. The paper circulation in Scotland did not exceed three millions, and the people had perfect confidence in it. There was, therefore, no reason whatever for meddling with the system. But in 1845 a fresh Bill had been brought in. Stirring events followed, and it was believed that that Bill had been abandoned. However, their old enemy suddenly and unexpectedly reappeared under the auspices of a new Ministry, and was passed through the House of Commons with that rapidity which characterized the progress of measures introduced at the fag-end of a Session. He had then lost all those who had acted with him in opposition before, and he stood alone, with the exception of the assistance he received from the noble Earl opposite (Earl Radnor), who had always been consistent in his opposition to any interference with the Scottish banking system. Upon the Bill reaching their Lordships, he had urged the propriety of delay; but upon the day appointed for the second reading, two gentlemen, Messrs. Tennant and Drew, directors of the North British Bank, waited upon him, and stated that the committee of bankers in Scotland were not only willing to withdraw their opposition to the Bill, but that they were most anxious that it should pass. Under those circumstances he refrained from inflicting a speech upon their Lordships, and the Bill passed without that opposition with which he had threatened it; but no sooner had his reasons for so acting appeared before the public, than he received a letter from Mr. Anderson, the respected manager of the Union Bank, denying that the deputation had ever agreed to anything of the kind. Other information soon came to light. At a meeting of the North British Bank, it was stated that the arrangements which the bank had made with the late Government, had been confirmed by their successors, and that the establishment could still preserve its character of a bank of issue. He was, therefore, forced to believe that while Her Majesty's Government were proceeding publicly with their negotiations with the Scotch bankers generally, they were privately treating with the gentlemen who had made the erroneous statement. What those private arrangements were, could as yet be only a matter of conjecture, and therefore it was that he wished to see the correspondence for which he intended to move. He thought such a course derogatory to any Government; and his opposition had been withdrawn upon a statement which turned out to be a gross misrepresentation. The evil effects of the interference had already been felt; and considering the misrepresentation to which he had referred—considering also the time at which the Bill was passed—he thought the people of Scotland had a right to have a reconsideration of the whole subject, and it was with that view that he moved—

> "That an humble Address be presented to Her Majesty, for the Correspondence of the Scotch Bankers with the late and present Governments, relative to the Bill for regulating Joint Stock Banks in Scotland and Ireland, which was passed last Session, and in particular the Correspondence of any of the Directors of the North British Bank; also, for the Terms or Conditions of an Agreement or Arrangement said to have been entered into in favour of that Bank."

The Earl of CLARENDON was sorry that he could not agree to the Motion of his noble Friend, not because there was any objection to the production of such a correspondence, but because it did not exist. He had applied to his right hon. Friend the Chancellor of the Exchequer upon the subject, and, after a search, he had informed him that he could find no trace of any correspondence of the Scottish bankers either with the late or the present Government. He had reason to believe that there had been various oral communications on the subject, but no record of them had been kept. His right hon. Friend remembered, that when the Bill was before the House, he had received several letters from persons interested in the subject referring to former communications; but when the Bill, then under discussion, became law, he conceived that these documents had lost their interest, and he therefore destroyed them. He could not follow his noble Friend through the details of the matter; but he must beg leave to differ with him as to the manner in which the Bill had been brought forward and carried through Parliament. If he remembered rightly, the Bill affecting Scotch banks was introduced in 1845, and then it was frankly avowed that some arrangement was about to be made with the North British Bank. The then Chancellor of the Exchequer was told that that bank was then in an inchoate state; that from some reason or other they had not then been able to commence business. There was no secret made of the matter; no secret arrangement was made with that bank by the late Government; all that was done in respect of it was done openly and avowedly. From some cause the Bill was postponed; but notice was given, that it would be reintroduced in 1846; and it was at the same time announced, that it would be made retrospective, and take effect from the day contemplated in 1845. The Bill was accordingly introduced early in the Session of 1846, and read a first, and, he believed, a second time; but from the great pressure of business in that Session, its further progress was postponed. His right hon. Friend the Chancellor of the Exchequer, on entering office, considering the Bill one of a most useful nature, and likely to benefit the people of Scotland, proceeded with it, but not in a manner that was obnoxious to the charges brought against it by his noble Friend. Notice was given that the Bill was to be proceeded with; and a deputation of bankers, not consisting only of Messrs. Tennant and Drew, but of representatives also of the joint-stock banks, came up from Scotland, and had several interviews with the Chancellor of the Exchequer. His noble Friend seemed to accuse Messrs. Tennant and Drew of making some misrepresentation to him. [The Earl of EGLINTOUN: Hear, hear!] If they were wrong in their statements, most undoubtedly his right hon. Friend the Chancellor of the Exchequer shared in the error; for he laboured under the same impression as they did in making the statement. A legal point had been raised, and the deputation had promised to attend at the office of his right hon. Friend to meet the Lord Advocate to consider it; but when the day arrived, the deputation had gone home, and his right hon. Friend received a letter from Mr. Anderson, dated Liverpool, in which he stated that the deputation left the whole matter in the hands of the Government: under these circumstances the Bill had passed without opposition. He was sorry to hear that evil effects had followed from the measure. He could assure his noble Friend that no complaints had yet reached the Government from Scotland.

The EARL of RADNOR thought the course they had taken in reference to the Scotch banks was a most unfortunate one; and, for one, he was obliged to the noble Earl for bringing the subject under the consideration of the House. The Legislature ought never to have interfered with a system which had ever given the utmost satisfaction, in order to satisfy a currency crotchet of Sir R. Peel's.

Motion withdrawn.

MEDICAL RELIEF IN IRELAND.

The EARL of CLANCARTY: My Lords, in rising to put to the noble Marquess opposite, the question of which I yesterday gave notice, respecting the intentions of Her Majesty's Government, in reference to Irish medical charities, I shall only preface it by such observations as I think may show your Lordships the great importance of the subject; for, I cannot, like the noble Earl, whose Motion has just been disposed of, say of Ireland as he did of Scotland, that it has occupied but little of your Lordships' attention; I feel on the contrary, that when so much consideration is given to Irish questions, it would be unpardonable, without very strong grounds, to introduce any new question relating to Ireland. But important as is the consideration of those measures which have for their immediate object the relief of the destitute in that country, not less important is the duty of taking such steps, by means of legislation, as may ward off destitution from the industrious poor. Such, I conceive, was the object of Parliament, in the several Acts that have been passed, for the establishment of hospitals and dispensaries over the country for the relief of the sick; and such certainly, to a great degree, is the effect of such institutions wherever they are in beneficial operation. They are designed to afford relief, not to the destitute, for whom the law has otherwise provided, but for the industrious poor; a class which should be kept as much as possible distinct from the destitute; because, instead of being a burden to the community, it may be truly said of them, that they constitute its strength, wealth, and very dependence; but who, though under ordinary circumstances capable of maintaining themselves and their families in independence, are often, in sickness, unable out of their scanty earnings to provide the medicines and professional advice which, promptly administered, might hasten recovery, and ward off the ruin and destitution in such cases commonly resulting from a prolonged suspension of employment. That such legalized assistance to the poorer classes—not fraught with any of those demoralising consequences to be apprehended through the system of out-door relief contemplated, as I understand, in an amended poor law for Ireland, but on the contrary, affording a direct encouragement and protection to industry, and tending to unite the upper and lower classes of society in Ireland, by the kindest sympathies—was intended to be fully efficient and impartial in its operation, may, I think, be inferred from the several Acts which Parliament has from time to time passed for the extension of medical charities. In these respects, however, the law has failed. For want of central superintendence, abuses have crept into the administration of many of the medical charities; in others there is mismanagement and irregularity; and of those which depend in any degree upon voluntary contributions, the benefit can only be fully realized in such localities as are so fortunate as to have residing in them, persons able and willing to give their money and their personal labour to the superintendence of the charity. That such localities should be rather the exception than the rule, your Lordships cannot be surprised, after all you have of late heard of the destitute state of large tracts in the west and south of Ireland. One thing alone is uniform, and that is the taxation: in each county all are alike assessed to uphold the medical charities belonging to it; and even the poorest occupier of the soil, himself perhaps suffering from sickness, or with a sickly family, although beyond the reach of hospital or dispensary, is taxed in proportion to the land he holds for the maintenance of these institutions, just as much as if he derived the fullest benefit from them. This is a fact well known to such of your Lordships as are acquainted with the operation of the grand jury laws in Ireland. Further, I would observe, as a consequence of the unsatisfactory operation of the present law, that it appeared in evidence before the Select Committee appointed to inquire into it last Session—and while acting as chairman of a board of guardians in the west of Ireland, I have since had personal knowledge of the fact—that of the present inmates of the workhouses, many have been brought to destitution by neglected sickness, or by having become permanently disabled for the want of timely surgical care; and the vast numbers that enter the workhouse for the infirmary only, attested by the overcrowded state of all those infirmaries, shows undeniably, that the poor have not, without the walls of the workhouse, the appliances of medical relief which Parliament designed that they should have. And it may be observed of the industrious poor, who are in consequence compelled to seek infirmary relief among the destitute, that they most commonly resort to this last resource, when they are in an almost hopeless or a dying state. Every year that the amendment of the laws so often prayed for has been delayed, it may truly be said that a great injustice is done to a most deserving class; that there has been a neglect of the interests of the industrious poor; and I have no hesitation in saying that while this is the case an injury is likewise done to the whole community; for it is undeniably for the interest of all classes that the sanatory state of the poor should be duly cared for. The subject has been abundantly inquired into; the frequency of the inquiries that have been instituted without leading hitherto to any practical result, have at length caused them to be looked upon as mere pretexts for delay; they have, however, established the fact that the law requires to be amended; and a reference to the several reports that have been made, down to the latest which I had the honour of presenting to your Lordships, from the Select Committee appointed in the last Session of Parliament, would show the concurrence of opinion, both as to the defects of the existing law, and the principles which should be kept in view in any measure for its amendment. The present state of Ireland, so far from justifying delay, is an argument for the earliest consideration being given to the subject. It can hardly be expected that when the diminished resources of landed proprietors are required to meet so much increased taxation, together with the urgent claims of a famishing population, there should be the same facility of upholding institutions dependent upon the voluntary contributions of the charitable; although I am quite sure that the utmost would be done to prevent their falling to the ground. What is wanted, and what is recommended in the report to which I have referred, is a complete organization of the country for the purpose of administering medical relief, by an increased number of infirmaries for the in-door treatment of difficult medical and surgical cases, whereby professional science may be at the same time advanced; by the establishment of fever hospitals in sufficient number, whereby the spread of fever in any locality may be at once checked; and by the proper distribution of dispensaries, whereby advice and medicine are brought home to the dwellings of all who need them. It is not a question of imposing a new burden upon the imperial treasury, or an increased tax upon any part of the community; it is simply one of economy and regulation—of economy in the distribution of relief, and of economy in the distribution of the burden. There is much in the report to which I would pray the attention of Her Majesty's Government; and I trust that if the recommendations of the Committee have not received attention, they will be taken into their earliest consideration. The question to which I request an answer is, "Whether it is the intention of Her Majesty's Government to propose in the present Session any measure with respect to the medical relief of the sick poor of Ireland, founded on the recommendations in the report of the Select Committee appointed last Session to inquire into the subject; and if not, whether it is intended to propose any other measure for the improvement of Irish medical charities?"

The **Marquess of LANSDOWNE** regretted that he was not prepared to give the noble Earl a satisfactory answer. The subject had undergone much consideration on the part of Her Majesty's Government, and a measure bearing upon it was determined on, and was in course of preparation. But he apprehended that Parliament ought to be called upon to give its decision with regard to the extension of the poor law before it was asked to consider any measure relating to the medical relief of the sick poor. At the same time, he was far from saying that the Bill on the subject might not be introduced and passed during the present Session.

House adjourned.

HOUSE OF COMMONS,

Friday, February 26, 1847.

Minutes.] New Member Sworn.—James Henry Monahan, Esq., *for* Galway Town.

Public Bills.—1° Consolidated (£8,000,000); Poor Relief Supervision (Ireland) (No. 2).
2° London (City) Small Debts.

Petitions Presented. By Mr. Moffatt, from Durham, against the Roman Catholic Relief Bill.—From Attorneys and Solicitors at York, for Repeal of the Stamp Duty on Attorneys' Certificates.—By Mr. Callaghan and other hon. Members, from several places, for Reduction of Lighthouse Dues.—By Mr. Goulburn, from West India Planters and Merchants, in Favour of proposed Measures respecting Sugar and Rum.—By Mr. Goulburn and other Hon. Members, from several places, for Inquiry into the Anatomy Act.—By Mr. Moffatt, from Brixton, for Alteration of Law relating to Contempt of Court.—By Mr. Callaghan, from Cork, for Consolidation of the Cork Gaols.—By Mr. D. Browne and Mr. S. Crawford, from a number of places, for Relief of Destitute Poor (Ireland).—By Mr. Callaghan, from Cork, for Alteration of the Poor Law (Ireland) Bill.—By Mr. Walker, from Bury, for an efficient Poor Law (Ireland).—By Sir R. Inglis and other Hon. Members, from several places, for Repeal or Alteration of the Poor Removal Act.—By Mr. W. Ellis and other Hon. Members, from several places, for Alteration of the Law of Settlement.

GRANT FOR SEED (IRELAND).

Sir R. H. INGLIS, seeing the right hon. Secretary for Ireland in his place, wished to put a question to him with respect to the Government grant of 50,000*l.* for the distribution of seed in Ireland; he understood it was not intended to give the grant in money, but in seed itself. The question he wished to ask was on a point not less important than making the grant, namely, the manner in which the seed so given would be used? He hoped the present misery of Ireland would not be made perpetual by a neglect to use that seed; he trusted it was by this time employed day by day in sowing the land of Ireland; but could the Government give them any consolation as to the present state of that country in this respect?

Mr. LABOUCHERE could not give a very precise or distinct answer to the question of the hon. Baronet. But he hoped the House, and still more the people of Ireland, would not suppose, from his not giving such a reply to the question, that the cultivation of Ireland was to depend, in any considerable degree, on the small grant of seed which the Government was about to devote to the purpose. On the contrary, he was glad to take the opportunity of expressing a hope that the grant would not relax the efforts of proprietors to encourage the cultivation of the soil. If it did, he had no hesitation in saying, that the result would be most unfortunate. The very limited supply would be made almost entirely in turnip seed, and seed for green crops, and scarcely at all in grain. Had they undertaken to supply seed for grain crops in Ireland, they would have undertaken a task which no Government could perform; and any notion that it could do such a thing must cause more harm than good. With regard to the proportion of land under cultivation in Ireland, he had reason to believe that a larger breadth of it had been laid down in wheat this than in any former year; he could also say, that in many parts of Ireland great efforts were being made for the cultivation of the soil; at the same time, he was afraid, unless great exertions were used, that the cultivation of the land in the more remote districts would be very imperfect. Everything depended on the next six weeks; and he trusted the upper and middle classes of Ireland would consider it a duty alike imposed on them by the necessity itself, and a well understood self-interest, to exert themselves in every way to insure this object of paramount importance, by assisting the small holders to cultivate the ground for the ensuing harvest.

Mr. P. SCROPE asked, whether the attention of the Government had been directed to a memorial laid before it, praying that wherever the landlord neglected to buy seed for his tenant, a power should be given to those who would supply seed on credit, to have the first lien on the coming crop; that it should not all go to the landlord for rent? If such a power were given, a large amount of seed would be supplied by persons in Ireland, on the credit of the growing crop, when it could not be obtained from any other source.

Mr. LABOUCHERE said, no such measure was contemplated by the Government.

THE POOR LAW COMMISSION.

On the Motion for going into Committee of Supply,

Mr. ROEBUCK said: I have given notice to the right hon. Baronet the Secretary for the Home Department, that I wished to put a question to him of great importance, respecting the present state of the poor law in this country. Every one in the House must have seen, this morning, in the columns of *The Times* newspaper, an extraordinary statement. It is not upon the subject-matter of the law itself; it is an opinion, given by a learned Friend of mine, as to the present state of the poor law, caused by the mode in which it has been administered. Two questions have been put to Mr. Matthew D. Hill, to which he has given answers. The points raised are, whether certain proceedings on the part of the Poor Law Commissioners were legal or not; and, if not legal, what remedies can be taken against them? Mr. Hill, as to the first point, says, if the case be as stated, the conduct of the Commissioners has been illegal; and next—which is a part of the opinion I am inclined to think unquestionable—if these illegal acts have been committed, the Commissioners may be proceeded against, either by indictment, information, or action. It must be known to the House, from the statements of the Poor Law Commissioners themselves, during the inquiry before the Andover Committee, that they have been guilty—I use the term only in its technical sense—of illegal proceedings, very nearly from the commencement of their official existence. They received, under an Act of Parliament, powers which they were to exercise as persons sitting together as a board; those powers were very great and extensive—powers that were never before bestowed by Act of Parliament. I was one of those who conceded those powers; I was perfectly willing to do so; but always with the safeguards and means of protection given by the Act itself. Among those safeguards was a provision that the three Commissioners should sit together as a board; that nothing should be done by them as individual Commissioners, but as a Board of Commissioners; it was provided, also, that their proceedings should not only be done in regular form, but be recorded by the secretary; that not only the act should be known, but the grounds upon which it was done; and, moreover, that these proceedings should be subject to the consideration of the Secretary of State, who is immediately amenable to this House. In the inquiry that took place before the Andover Committee, it became apparent to everybody that the Act had been violated by the Commissioners. We passed an Act of Parliament upon the most delicate question in administrative affairs that could be submitted to the House, guarded and fenced round with protective enactments and securities for its due administration, necessary for the benefit of the whole community. There was not a person in this House who took part in that discussion who was not fully aware of the dangerous ground on which we trod, and the difficulty of the experiment we were about to make. The Act was passed; then came the proceedings of the Commissioners, and under their administration the whole fabric of the law has broken down, placing us at the present moment in a worse condition than we were at the commencement of the investigation which led to the passing of the New Poor Law. Now, Sir, I wish to call the attention of the right hon. Gentleman and the House to this: we are about to reconstruct the Act of Parliament; not only that, we are about to extend its operation in a still more difficult country to deal with—Ireland; and it is of the utmost consequence we should have a thorough understanding of the causes of its failure, whether it is to be attributed to some inherent defect in the law, or to some inefficiency in the parties applying it. We have at this moment on the Table an Order of the Day for going into something connected with the poor law in Ireland; but we do not know what has been the ordinary mode of proceeding with regard to the whole matter. I do not wish to say anything to hurt the feelings of the parties impugned; I hardly know them, save from the passing courtesies of life; but I am bound to state, that the imputations on them in their public capacities render it totally impossible for them to carry out the existing law. The law has broken down under them, and it is impossible at the present moment to say what will be the consequence. They may have actions and indictments brought against them all over England; and for the next six months those Gentlemen will live a life no one will envy them, if something is not done to protect them. I ask the noble Lord if we are leave this delicate and difficult subject in its present unsatisfactory state? We are in the last Session of the present Parliament; are we about to leave the whole subject unconsidered? Suppose I get as an answer, we are not; yet the noble Lord must be aware, this question cannot be considered in the ordinary way: the country asks for a calm, a considerate, and a thorough inquiry, and I hope the House will bear with me for a moment while I state why. Three of four gentlemen intrusted with the application of this law have taken upon themselves to violate the Act of Parliament—that is the only way I can express it. Under these circumstances I want to know if the British House of Commons is prepared to enter on a discussion of the law for the purpose of extending its operation in Ireland without a previous consideration of all the extraordinary circumstances connected with the administration of that law? Before we pass an extension of the poor law for Ireland, we ought to inquire into the efficiency of the machinery for its purpose. What has taken place in Ireland in the last six months? I ask the noble Lord if, during the last six months, he received any information from the Irish Poor Law Commissioners as to the failure of the potato crop; or did they offer any suggestions for meeting the difficulty? If not—and I suppose he did not, because nothing has been laid on the Table of the House—then I say the Irish Commissioners have not discharged all the duties of the office for which they were appointed. In the present state of affairs in Ireland, it was their duty to have suggested some means of meeting the extraordinary difficulty. We ought not to enter on the extension of the Irish Poor Law without a full inquiry into the whole question how it has been administered. I admit the principle of the poor law, as instituted by the last Act of Parliament; but I want a full and unbiassed inquiry into the cases of its failure, for unfortunately I am obliged, in spite of my previous opinions, to confess it has been a lamentable failure, whether it must be attributed to the law itself, or to the individuals administering it. I believe, in my conscience, it is not the law; the law, ably carried out, would have fulfilled all the intentions of the Legislature? But the persons employed to administer it have not proved equal to the task intrusted to them, and thus the failure has occurred. I want, therefore, to know in what position the question is at present? I am prepared, if the House will give me encouragement, to move for a Committee of Inquiry; but I hope the Government will undertake to do it, and take into consideration some mode of preventing the litigation that may arise. I hope, also, to hear some statement as to the course to be pursued in the House on the poor-law measures in progress for England and Ireland. At the present moment we do not know what we are to discuss. A short time ago the noble Lord put off the Irish Poor Law Extension Bill; at the present moment we are in the dark as to the reconstruction of the English Commission. It is the duty of the Government to tell us what it is actually about to propose; and we ought to base all our legislation upon a full investigation into the administration of the law both in England and Ireland. I hope the right hon. Gentleman will tell us he is prepared to enter upon that full, fair, and unbiassed inquiry.

Sir G. GREY said: In reference to the first part of the hon. and learned Gentleman's observations, I think it right to state the course the Government has pursued. Upon receiving the report of the Committee appointed to inquire into the management of the Andover Union, I addressed a letter to the Poor Law Commissioners, calling on them to state to me the mode in which they conducted the business of the office. I received a full report on the subject; and that report was referred to the law officers of the Crown, my hon. and learned Friends the Attorney and Solicitor General. The result of that reference to the law officers of the Crown, to say how far the proceedings of the Commissioners had been in accordance with the law, was certainly not such as to lead the Government to doubt their legality; and I do not think the Commissioners will be subjected to those indictments and vexatious legal processes the hon. and learned Gentleman apprehends. As far as Her Majesty's Government are advised, there is no reason to apprehend such proceedings; nor can I admit to him that the law itself is in abeyance, for ever since I have had the honour to hold the seals of office, I have always found the Poor Law Commissioners most attentive and diligent in the discharge of their duty, which, I believe, has been ably and efficiently performed. With regard to the latter part of the remarks of the hon. and learned Gentleman, I certainly should have thought he had been aware of what passed in the House on a former occasion. My noble Friend stated, very early in the Session, his intention to move for a Committee of Inquiry into the Law of Settlement; he stated, also, that it was not the intention of the Government to advise Parliament to pass the renewal of the Poor Law Commission this year, but that he should submit a plan for that Commission to be substituted for the present one. The hon. and learned Gentleman has pressed on the attention of the House the necessity of applying the poor law to Ireland; yet he now comes down and urges the expediency of deferring that measure till we have gone through a long and protracted inquiry in a Committee up stairs. I do not concur with the hon. and learned Gentleman, that this would be a wise, a prudent, or expedient course. The hon. and learned Gentleman does not seem aware of what has been done: my noble Friend, feeling the reasonableness of the opinion, that before any extension of the poor law is made in Ireland the House ought to be in possession of the plan of the Government as to the Commission, has therefore moved for leave to bring in a Bill regulating the future administration of the poor law in Ireland, which will be in the hands of hon. Members immediately—at all events in time to be considered before the 8th of March, the day now fixed for the discussion of the Irish Poor Law. The Government will then be prepared, on its own responsibility, to submit to the House a measure which they have, after mature consideration, thought right to propose as a substitute for the existing system of poor law administration, and Parliament will decide if that substitute is deserving of approval.

Mr. HUME called the attention of the right hon. Baronet to another very important document, containing the evidence of the Poor Law Commissioners themselves, before the Committee which had been expressly appointed, and which had inquired into their conduct. That evidence furnished a complete proof that every act of the Poor Law Commissioners in the year 1841 had been illegal. There was not one member of the Committee who was not prepared to admit that; and when they were pressed to condemn the Poor Law Commissioners, their answer, and the only reason why they had not done so, was, that it had not been directly submitted to them to make any report upon the conduct of the Commissioners. He had concurred in that view; he had gone into the Committee with a firm determination not to touch upon the conduct of the Commissioners except in one single case—the course pursued by the Commissioner Lewis himself; and it was only after great difficulty that he was admitted, and that the whole question, as concerned him, was gone into. He rested his assertion upon that evidence, and every hon. Member was in a position to examine it. Mr. M. Hill had given an opinion on the Andover case; and if he gave another opinion on the report of the District Asylums Committee, he would find some facts telling still more strongly against the Commissioners. The Commission stood condemned, on its own evidence, as utterly illegal, and as having acted contrary to the provisions of the Act under which it had been appointed. It was proved that day by day the Commissioners had conducted their business in an irregular and in an illegal manner; that they transacted business without calling in any secretary to record their proceedings; and that consequently there was now no access to any official memoranda of those proceedings. He thought it behoved the Government to take up the question, and to institute another inquiry to satisfy themselves. It was too much to allow such a subject to stand over so long, when, if not by the whole, at least by the greater portion of the community, the Commissioners were suspected and censured. The Government should long ago have stated to the House what change they purposed making. He would have been perfectly satisfied when he brought forward a Motion condemnatory of the conduct of the Commissioners, if the right hon. Gentleman had declared that the question would, without delay, be considered and determined on. He was, therefore, not at all surprised at the hon. and learned Gentleman (Mr. Roebuck), when they were about to extend the poor laws to Ireland, hesitating to confide the administration of those laws to the Gentlemen who hitherto had perverted their trust. He did not wish personally to complain of any one of the Commissioners. He knew them all by name, and some of them intimately, and he certainly believed they were at all times anxious to do their duty. They had undoubtedly proceeded on a mistaken view; but this did not make their acts less culpable. He had done everything in his power to support the poor law, and he was still ready to maintain the correctness of the principles on which it had been passed. The system had fallen into odium because of gross mismanagement; and it was now incumbent on the Government, in consideration of the importance of the subject, to explain the changes which they proposed to make, and, if any doubts existed of the propriety of the conduct of the Commissioners, to have those doubts removed at the very earliest opportunity.

Mr. SMITH O'BRIEN understood that the Poor Law (Ireland) Bill had been postponed principally because the Government had in view some alterations in the law relative to the important subject which had been brought before the House. That intention, he concluded, had undergone no change; but as there had been given several notices of amendments of the Irish Bill, there would probably be some confusion in dealing with the laws of the two countries, or in proceeding with either law separately. The hon. and learned Member for Bath had stated distinctly, at the beginning of the Session, his opinion was that the English poor law should be extended to Ireland. He had since weighed well that question; he had carefully examined the suggested amendments; he had watched the temper of the House in reference to the Bill; and he did not hesitate to say, expressing simply his own individual sentiments, that, after the experience he had had of the working of the poor laws in England and Ireland, he should have now no objection to apply the English law, letter by letter, to Ireland. He did not say that it would be the very best law for Ireland; but, taking into consideration all the circumstances of the case, and remembering what had been the statements made in that House, he was anxious, as an Irish proprietor, to put himself fairly before the people of England, and to declare, if any hon. Gentleman would bring forward such a proposition, that he would give to it his best support. He did not ask for the English poor law as it had been carried in some instances into operation; he did not ask them to treat Ireland *bonâ fide* as they would desire to treat any county in England. There were great differences between the conditions of the two countries; and he should be prepared to show—not in any spirit of hostility to the poor of Ireland, for he was far from denying their title to relief—that great disadvantages would result to the Irish poor, if the Bill were passed in the exact shape in which it had been introduced.

Mr. SHAW did not think that was the proper occasion to discuss the merits of the general poor law, or the differences between England and Ireland in respect of that law; but he might correct the hon. and learned Member (Mr. Roebuck), who had fallen into an error in supposing that there were at present different boards for the administration of the poor law in England and in Ireland. There was but one board and one set of Commissioners for both; but latterly one of the Commissioners had been resident in Ireland. His object in rising was to ask the noble Lord (Lord J. Russell) when the Bill which the noble Lord obtained leave to bring in on Monday last, for the constitution of a new poor law in Ireland, would be presented to the House, and in the hands of Members? and further, whether the noble Lord still meant to proceed with the Irish measures, namely, the Landed Property and the Poor Law Bills, on Monday the 8th of March?

Lord J. RUSSELL: Before answering the question of the right hon. Gentleman, I would like to say a word or two in reply to what fell from the hon. Member for Montrose. The hon. Gentleman seems to have mistaken the purport of what fell from my right hon. Friend (Sir G. Grey). The hon. Gentleman seems to suppose that these reports of the District Asylums Committee, and next of the Andover Union Committee, were entirely neglected by the Government; and that the Government stood by, as if it were a matter of indifference to them whether they should take any steps in the matter or not. Now, what my right hon. Friend stated was this: that immediately after the resolutions of the Andover Union Committee had been reported, the Government, in the first instance, called on the Poor Law Commissioners for a statement of the mode of transacting the business of the Commission; and that their answer, which was of considerable length, referred to all which had been stated in the District Ayslums Committee, as well as to what passed in the Andover Union Committee, and went into details as to the manner in which it had been customary to transact their business. My right hon. Friend thought it his duty to inform the law officers of the Crown of that statement, and to ask whether the mode of doing business as described by the Commissioners was in conformity with the law. I own it struck me, when there was a doubt about it, that no better course could be taken than applying to, and ascertaining, from those eminent authorities, the Attorney General and the Solicitor General, whether the Commissioners were proceeding in conformity with the law. Their answer was, that it was not necessary to do anything more than to require from the Commissioners some further explanation of their mode of conducting their business, so far as referred to their acting legally; and I confess I am not at all convinced, either one way or the other, by seeing in many newspapers an opinion, signed by M. D. Hill, that the legal opinions received by the Government are not correct. This, in the first place, is a mere anonymous case, stated by somebody, on no sort of authority whatever, referring, not to the report of the Parliamentary Committee, but to the notion of this anonymous gentleman of the mode in which the Commissioners conduct their business, and asking if that mode was in conformity with the law. Then there comes the opinion of Mr. M. D. Hill, a different opinion from that which the Government has received, setting forth that the Commissioners do not seem to have acted in conformity with the law, and could not have proceeded thus irregularly without being conscious that they were not acting legally. That, certainly, is a great deal for a counsel to take upon himself to declare. I will not say whether he is right or not, or whether he has interpreted the law rightly or not, in stating the Commissioners did not endeavour, at least, to conform to the law and to their duty. So far as to the legality of the proceedings of the Commissioners. With respect to the measures to be taken in future, I stated at the commencement of the Session what is the species of administration which we propose for the future administration of the poor law in England. I have not been enabled to bring this measure before the House, and I think the House is itself the best judge how far it has been possible to do so. I submit, that, with the various and urgent measures, the suspension of all duties on the importation of corn, the admission of sugar into breweries and distilleries, the great project introduced by the noble Lord respecting railways in Ireland—which we had under consideration upon all order days, which are the only days the Government had to command—it would have been imprudent in me if I had endeavoured to force the House into a discussion of the poor law. As regards the alteration of the poor law in Ireland, I do hope to be able, to-night, to lay upon the Table of the House a Bill which will regulate the administration of the Poor Law Commission. I should like to propose, to-night, to go into Committee *pro formâ* on the Poor Law (Ireland) Bill; but as it would, in all probability, be late before I could have an opportunity, it will be better to postpone doing so to the first thing on Monday. In moving to go into Committee *pro formâ*, I shall state the substantial alterations we purpose making in the Bill as it is now before the House. I will then move that it be printed, and that the Report be received on the 8th of March. The Bill for granting loans for the improvement of land stands first on the 8th of March; but I will propose to go into Committee on that Bill, to carry it through Committee, and then to go into Committee on the Poor Law (Ireland) Bill. We can then proceed with the third reading of these Bills at the same time. That is the course I wish to take, and I do not think there can be any opposition to it.

THE REVISING BARRISTER AT CAMBRIDGE.

Sir DE LACY EVANS drew the attention of the House, according to the notice he had given, to a statement which had been made relative to the suppression, at Cambridge, of a list of voters whose claims had been admitted by the revising barrister. The imputation had been cast upon this gentleman that he was concerned in the suppression, and his character had therefore been injured. He would show to the House that this imputation was wholly unfounded, and that the circumstance, apparently so strange, had arisen in an error for which the revising barrister was not at all responsible. The matter occurred in this way: the revising barrister appended his signature to the petition of these sixty persons claiming to be placed on the registration, and having done that, he had done all which was required from him. Two months after he saw in a local newspaper that these voters were omitted from the list which had been published; and he then immediately wrote to the town-clerk of Cambridge, Mr. Harris, expressing his astonishment at the omission. Mr. Harris replied that he had published the list entire, which had been given to him by the revising barrister. The revising barrister wrote again, and denied that this was the case; and after some further correspondence and inquiry, the missing list was found in a drawer, where it had escaped notice, in the office of the town-clerk. It further appeared that the list contained the names, in equal numbers. of opposite political parties; and it could not be supposed that what had occurred was other than a mistake.

THE CONDITION OF IRELAND.

MR. J. O'CONNELL regretted that he was compelled to interfere with the immediate business of the House; but he believed there was an absolute necessity that he should call the attention of the Government for a short time to the condition of Ireland. He was aware of the opportunities which would be offered in the course of the next fortnight of discussing the present position of that country; but he hoped that his anticipatory remarks would have the effect of inducing the House to take into consideration how far measures of relief of a more comprehensive character than those yet introduced, were called for to alleviate the distress generally existing throughout Ireland. He would not enter into details or particulars, nor would he expose himself to the charge so frequently brought against Irish Members, that their statements were exaggerations. His object was to impress upon the Government the great danger there impended of disease and pestilence following in the wake of famine in Ireland. It had been found that fever invariably attended what he might call the triennial famines there; and as the distress now exceeded in extent and intensity everything which they had known before, they could only expect that typhus fever, in its worst and most malignant form, would shortly appear. It should be remembered they could not stop the tide of pauper emigration from Ireland into England; and that being so, they were bound to take into account the probability of the pestilence spreading to this country, and carrying desolation to the highest and most sheltered ranks. All medical writers agreed in their estimate of the certainty of famine being accompanied by fever. He had been shocked to learn that in influential quarters in this country, the horrible doctrine was held, that the present famine in Ireland would be attended with desirable results, because in proportion as the food of the people was diminished, the population of Ireland would be diminished in the same ratio. He could not conceive it possible that so horrid a doctrine should be held by any one; but he had been informed that it was in reality entertained in some quarters in this country. He must say with reference to the poor-law measure for Ireland, which had been introduced to the House, that if it was the determination of Government and the House to force such a poor law upon them, then he and many other Irish Members would be willing to give up their opposition to that measure, though he saw in the papers of that morning, that at a meeting in the county of Mayo, the proposal of a poor rate was regarded as "a mockery and an insult" to their misery. But even if it was an insult cast upon them, still, at the present juncture, when the public purse was necessarily so heavily straitened, he, as an Irish proprietor, and as one of the representatives from that country, would not oppose a poor law, provided that at the same time Government, and that House, and the people of this country, were prepared to give their utmost co-operation to provide relief for the distress of Ireland. He wondered that that House, after so much had been said about the inactivity of the Irish proprietors, did not make a call upon every person connected with property in Ireland to go over at once to discharge the duties connected with that property. By this means they would create something like a natural and wholesome expenditure of money in Ireland. If they could get the rich proprietors of Ireland in that country only for a period of six months, depend upon it their own interests would make them set their ingenuity to work to provide actual relief for the people around them. He held it to be a neglect of duty, on the part of that House and the English people, that they did not call upon the proprietors of Ireland to give at least six months of their time to that country. He begged to press this idea upon the attention of the House; but in any case he trusted that the measures which were in contemplation by Government for the relief of Ireland, would be brought forward without delay, so that the Irish Members might be allowed to repair to those localities in Ireland where distress most prevailed, there to perform the duties which devolved upon them at such a crisis.

Mr. LABOUCHERE was not aware that it was the intention of the hon. Member for Kilkenny to take this opportunity to discuss the subject of famine in Ireland; and he had so frequently and so recently addressed the House on this subject, that he trusted he should be excused if he did not enter into it at large on the present occasion. His hon. Friend had stated, that he was chiefly moved to bring this question before the House, because he had heard of an opinion, entertained in some quarters, that it was desirable, on system, to allow the present famine to reduce the numbers of the people of Ireland. The hon. Gentleman justly denounced such a doctrine as a horrible doctrine. He knew not to what quarter it was the hon. Gentleman referred. He could only say he hoped it was not to Her Majesty's Government, for they, whether their efforts to provide for the wants of the peoole had been judicious or not, had, at least, made the most enormous exertions to cope with the famine in Ireland. He hoped the hon. Gentleman did not mean the Imperial Parliament, for he thought any one who had attended to the discussions of that House during the present Session, could not have failed to observe the great assistance, which, without the slightest reference to party differences, the House had given to the efforts of Government to cope with that famine. He hoped he did not refer to Her Majesty's English or Scotch subjects, as there was abundant proof in those voluntary contributions that had poured in to relieve the sufferings of their Irish brethren—that there was among the Christian and humane people of England an earnest and anxious desire to do all that lay in their power to relieve those sufferings. He regretted to hear that so horrid a doctrine should have prevailed in any quarter; and he also regretted that his hon. Friend should have thought right to advert to it on the present occasion. The hon. Gentleman had stated that he was afraid that unless some measures were taken to furnish the people of Ireland with more solid food, injurious consequences to the health of the population would follow. He could assure the hon. Gentleman that this subject—the best mode of affording relief—was under the daily and anxious attention both of the Government, and of the relief committees that were sitting in Dublin, for the purpose of applying the means provided by Governmnnt; and he might observe, that a communication had been received from Sir J. Burgoyne, stating that it would be necessary to forward a certain quantity of biscuit to be prepared for every danger and every emergency that might occur. He would only entreat the hon. Gentleman and other Irish Members to believe, that all these details were constantly examined, and constantly watched with the greatest anxiety; and he could assure the House that the exertions made by Government were most unremitting. He had just been informed, in a communication from his hon. Friend the Secretary for the Admiralty, that 58,000lb. of biscuit were every day sent to Ireland, manufactured in one single yard—the Clarence yard at Portsmouth—and he might state that there were steam-boats constantly communicating between the dockyards of England and the ports of Ireland, conveying provisions to meet the dreadful destitution that now prevailed in that country. The depth and extent of that destitution he never thought to conceal or disguise from that House. It was his duty, every day, to read the accounts which the post brought him from Ireland of the dreadful destitution, accompanied with the most revolting and distressing details, which prevailed in Ireland; and it was utterly impossible for him to attempt to disguise the impressions these things produced on his mind, or to conceal the frightful results that famine was producing in that country. All he would say was this, that he feared there was a disposition very greatly to overrate the powers of the Government in this matter. He would assure the House, however, that that power, such as it was, had been exerted, and would continue to be exerted, to the utmost. He thought the fact, that his noble Friend the First Lord of the Treasury was at that moment engaged in negotiating a loan of 8,000,000*l.* for the purpose of alleviating the pressure of this calamity, was a proof that the Government had not shrunk from their duty to Ireland. But he did not believe that, make what exertions they might, they should be able to prevent great misery and great misfortune. All he said was, that these exertions had been, were now, and would be, continued; and he trusted that, in making them, they would receive the earnest co-operation of those classes in Ireland, by whose exertions, after all, much more could be done than by the exertions of any Government whatever. He agreed with the hon. Member for Kilkenny, that Ireland had a claim upon the United Kingdom for co-operation and support. In his opinion, that co-operation had been cordially and cheerfully given; and he could not accept for Government the compliment which the hon. Member for Kilkenny had given them, that they were in advance of the country on this subject. He believed that the people of England and Scotland went along with the Government on this question, and that they also entertained a feeling on this subject, which, he must say, he thought a just one, viz., that they thought they had a right to expect that in Ireland herself, according to her means and resources, there should be exertions made suitable to the occasion. There was one subject more. His hon. Friend had called his attention to the necessity of devising means of arresting disease, which always accompanied famine. With respect to that point, he assured his hon. Friend that every means in the power of Government would be employed with that object. The Board of Health was always in communication with all parts of the country, and devised such means, in connexion with the Lord Lieutenant, as were calculated to meet the disease and suffering which, he was afraid, always prevailed when there was a great scarcity in Ireland. He would conclude with repeating his assurance that the most anxious attention of the Government was devoted to the whole subject, with a view of mitigating to the utmost of their power, the sufferings of the people.

THE NEW LOAN.

Mr. HUME wished to put a question to the noble Lord. He had seen in the papers of to-day, that a loan had been contracted for in the old 3 per cent stock. If this statement were correct, and this measure were adopted, it would have an injurious effect upon the finances of the country, and, as he had shown on a former occasion, be attended with a loss to the country. If we were to get only 90*l.* for 100*l.* stock, it would be better to borrow the 8,000,000*l.* at the ordinary rate of interest, than to add in this manner to the capital of the debt. He hoped the noble Lord would alter his plan.

Lord J. RUSSELL said, the subject had been fully considered, and according to the best information which the Government could obtain, they considered that the present mode of contracting for the loan would procure much better terms for the public than any other.

CONVEYANCE OF PROVISIONS IN MEN OF WAR.

Mr. SHARMAN CRAWFORD moved as an Amendment to the Motion, that the Speaker do leave the Chair, for the House to go into a Committee of Supply—

> "An humble Address to Her Majesty, praying that She would be graciously pleased to authorise and direct that such ships of Her Majesty's Navy, as can be spared from the regular duty, should be applied, under such regulations as Her Majesty might deem advisable, to the accommodation of Merchants in the conveying of corn and provisions from Foreign Countries into the ports of the United Kingdom."

The hon. Member observed, that starvation was extending to all parts of Ireland, and that want of shipping to import food caused this extension. In America, the produce of the last harvest was 700,000,000 bushels. There was disposable for foreign countries about 400,000,000 bushels, equal to 50,000,000 quarters, of which, probably, about 17,000,000 might be obtained for this country. If food was provided for 4,000,000 of people, and each of those 4,000,000 required, upon an average, 1 lb. of Indian meal per day for 200 days, it would require 13,500,000 bushels, or about 1,500,000 quarters only. The want of shipping to convey food to this country, raised the prices to an enormous amount. In New York, the freight of corn last year was 8*d.* per bushel; this year it was 1*s.* 10*d.* In New Orleans, it was 10*d.* last year; and 1*s.* 10½*d.* now. At Constantinople, last year, freight was 7*s.* per quarter; this year 15*s.* At Odessa, 7*s.* last year; 16*s.* 2*d.* this year. At Venice, 6*s.* last year; 13*s.* this year. At Alexandria, 6*s.* last year; 19*s.* this year. An enormous increase of prices arose from this enormous cost of freight. Corn could be bought on the Danube at 30*s.* per quarter, whilst the price at Liverpool, last week, was 72*s.* 6*d.* Ships were not to be had. He found that a mercantile house had sent an order to Baltimore for flour, with an unlimited power as to price; and two letters had been received from Baltimore by this firm, stating that no ships were to be had in which to send over the flour. The ships had been taken off by France and Belgium; there had been 400 at Marseilles the last fortnight. All grain was 50 per cent higher in our own ports than in the ports of America. These were the reasons which induced him to hope that the Government would in some manner apply our ships of war to the conveyance of corn from foreign parts. He was as unwilling as any one to interfere with the principles of trade: but there were periods of calamity when such principles must give way. He would propose, not that the Government should itself employ the ships, but that they should place ships at the disposal of private merchants for the conveyance of grain from foreign ports, receiving tenders from merchants. It would, undoubtedly, be dangerous to interfere, without judgment and discretion, with the enterprise of private traders; but measures, he thought, might be devised for the purpose. If Ireland were attacked by a foreign enemy, ships of war would be sent against that foreign enemy; and why should they not be employed to relieve her from that greater enemy by which she was now invaded? Her Majesty's fleet was paid for by the people, and the people should have the use of it. The very reasons which had induced the Government to suspend the navigation laws, would justify this measure; the very same principle applied to both. There was no impediment to plenty in this country other than the want of means of conveying to the distressed people of this country the produce of other countries; and we must do, by means of our ships of war, what we could not do by other means. He did not bring forward this proposition in a hostile spirit; he gave the Government credit for their exertions to relieve the distress in Ireland; and he hoped they would adopt his proposition, and that they would endeavour to devise means by which the ships of the Navy might be applied as he suggested.

LORD JOHN RUSSELL said: The question embodied in the present Motion was brought under the consideration of the Government some time ago, and on the whole, after some consideration, we think it more advisable not to adopt the proposition. I would say, in the first place (perhaps the hon. Gentleman has already got the information), that a great number of steam vessels and other ships are now employed in the relief service between this country and Ireland. The number of those vessels at present amounts to thirty steam vessels, twelve sailing vessels, and five depôt ships. With regard to the question which the hon. Gentleman has raised, namely, that of sending vessels of war into foreign ports to obtain supplies, I think the hon. Gentleman has not gone into a correct calculation of how much could be done by Her Majesty's Navy. The hon. Gentleman has talked of 1,500,000 quarters coming from America: and that, I am afraid, is an estimate beyond the truth. The quantity that could be brought in ships of war would be a small proportion indeed of the estimate he has made. In the first place, it would be necessary to fit up those ships of war in a manner totally different from their present state, and the expense and time that would be taken up in that operation would be considerable. The fitting up of the *Belleisle* cost 19,000*l.*; it takes a considerable time before vessels of war can be so fitted up; and of course it would take similar time and similar expense to adapt them again to the service of the Navy. If we had ten thousand tons of shipping so employed, it would be as much as we could expect; and they would not bring more than about fifty thousand quarters, so that no result could be obtained that would be at all adequate to the expense that would be caused. It would have one certain consequence—namely, that when it was once known and proclaimed that the vessels of Her Majesty's fleet would be employed in this service, it would be a great discouragement to the merchant service, and possibly prevent them from sending ships to foreign countries; and I think you must expect greater efforts from individual enterprise than could possibly be made by Her Majesty's ships, even after some months had been lost in fitting them up at great expense. My own calculation in last September was, that not less than from twelve to fifteen hundred ships would be required in a service of this kind. Of course, if you discourage the merchant service by proclaiming that the ships of Her Majesty's Navy will be so employed, you must expect that there will be a less number of merchant ships in the ports of America and at Odessa, and freights, instead of being lower, may be considerably higher than at the present moment. The hon. Gentleman does not know the difficulty of bringing food from the United States to this country. It is not alone the difficulty of getting ships at New York to bring it here, but there is also the difficulty of conveying the Indian corn to New York, especially that grown in the Western States. The Indian corn which costs but sevenpence a bushel in some of those remote States, costs several shillings before it ar-arrives at any port of embarkation. And while there is a great demand, there is an insufficiency of boats to bring the corn down the Mississippi and the other rivers, on the banks of which the corn grows. There are not boats enough, so that it would be not sufficient merely to have ships for the purpose. But the great objection is that, after an expensive effort, and considerable loss of time, it would not at all produce a result which would be commensurate with that expense and loss of time, and that you would thereby give great discouragement to private enterprise. I can assure the hon. Gentleman, that if I thought the use of the Navy would be beneficial, and tend to cheapen food in this country, I should be as ready to direct the employment of the Navy in this service as to direct its employment in the conveyance of food between this country and Ireland. I trust, therefore, that the hon. Gentleman will be satisfied with this explanation, and that he will not press the matter further.

Mr. SHARMAN CRAWFORD observed, that the noble Lord had misunderstood him on one point, and that was, with reference to the supply from America. His impression was, that seventeen millions of quarters could be spared in America, and he thought that about one million and a half of quarters could be supplied to Ireland. The hon. Gentleman then withdrew his Motion.

Lord JOHN RUSSELL wished to mention a proposition that had been made to him by some of the Society of Friends who had been engaged most largely in giving relief to Ireland. They stated to him their belief that contributions were being raised in America to purchase corn, and they asked to have a ship of war for its conveyance placed at their disposal. The Government declined a literal compliance with that proposal; but they said if the corn was subscribed for and purchased, the Government would be ready to pay the freight for its conveyance.

Mr. KERR inquired if some system of emigration could not be connected with the introduction of foreign corn. If persons, for instance, were allowed to go abroad in men of war, or in any other way that would suit the Government, a great number of people might go that could not be supported in Ireland, and the ships could bring back a return cargo of corn.

Lord JOHN RUSSELL was not disposed to give any direct encouragement to the scheme which the hon. Member proposed. He would remind the hon. Member, that by the Irish poor law there was, in certain cases, a power given to supply funds for emigration. With regard to vessels bringing corn to this country, comprising foreign vessels, he would remark that, under the Act for the suspension of the navigation laws, those foreign vessels would be at liberty to carry out passengers, but they could not take merchandise. Those vessels would not be affected by the navigation laws, provided they confined themselves to passengers.

Amendment negatived.

STATE OF THE NAVY.

Question again put.

Sir C. NAPIER, before the House went into Committee on the Navy Estimates, begged to call attention to the expenditure that had taken place in that branch of the service for the building and altering of vessels; and it appeared to him, that during many years money had been most improvidently spent for the purpose to which he referred. It appeared from a return of the number of ships cut down since 1800, that thirteen two-deck vessels and ten frigates had been cut down; that there were about thirty vessels whose sterns had been altered by one Surveyor of the Navy, and about thirty more whose sterns were changed by another; and that there were thirty or forty ships whose magazines were changed, some of them three or four times, and all of them once; and if the House considered the expense that was incurred by those changes, they must see there was something wrong in the manner in which the Navy was conducted. He had stated every year, since he had a seat in that House, that it was impossible for the Naval Lord of the Admiralty to do all the business he had to do. He had said it was absolutely necessary there should be one Lord of the Admiralty who should have no other duty to perform than to superintend the shipping and dockyards. Notwithstanding these suggestions, and the enormous expense that was incurred, the same system was continued that had been going on for many years. The next estimate he held in his hand had reference to the number of ships cut down and broken up that never had even been at sea. He would read the statement, which would show the enormous expense that was incurred. There was the *Redoubtable*, 74 gun ship, built in 1815, at a cost of 84,049*l*., and broken up in 1841; there was the *Vindictive*, 74, built in 1813, at a cost of 81,540, and cut down in 1832, without ever having been at sea. There was the *Amazon*, 42 gun frigate, built in 1821, and cut down in 1844, never was at sea. There was the *Dædalus*, 42, never at sea, cut down in 1844. There was the *Brilliant* cutting down at the present moment; there was the *Penelope* converted into a bad steam frigate—the *Thames*, the *Minotaur*, the *Bacchus*, the *Hebe*. Now the expense of cutting down all those ships, amounted to the enormous sum of 619,700*l*. He doubted much the propriety of cutting them down, and he did not think they had been made more efficient by the operation. He would now come to another class of ships. They had six three-deckers on the stocks, that were to mount 110 guns, built after the *Queen*, which in the first instance was a considerable pet. He believed, after cobbling her up, they had produced a fair ship; but in the last cruise, when ships were likely to roll, the *Queen* was not at sea, so that they did not know at present whether or not the *Queen* was really a good ship. There were ships also built after the *Albion*; and it would be remembered that he had cautioned the Admiralty not to build any other ships on the same plan until they had tried the first vessel. Now there were doubts as to whether the *Albion* was a good or bad ship, and he was sorry to say it was very difficult to decide it. But there was one incontestable fact, that in a gale of wind the *Albion* rolled over 45 degrees to leeward, and lurched over to windward 43. With regard to the *Albion*, as a fighting ship, after three or four trials they had found her a useless ship; because at sea ships are useless that do not carry their guns well out of the water, and the *Albion* was now gone to Malta to take in a quantity of ballast. When they were going to build steam vessels, he asked them to appoint a commission of two naval officers to inquire into the proper way of building steam-boats; but the Admiralty refused him. The first they constructed was the *Gorgon*, and he would not blame the Surveyor of the Navy for that vessel, because it was the first steam-boat that was constructed; and after the Admiralty had given orders to construct her on a particular plan, and with particular engines and armament, they ordered them to be altered. The objection to that vessel was that she could not carry main-deck guns. He next referred to the *Cyclops*, *Penelope*, and *Terrible*. The engines of the last-named vessel, steam boxes and boilers, absolutely projected 6 ft. 5¼ in. above the water. The utmost danger would attend a shot striking the boiler of one of their steam vessels. If a shot went through the boiler of a steam ship, not one man below would escape: every one would be completely cooked in a moment. [*Laughter.*] This would be no laughing matter; and on the first case of this kind occurring, they would never be able to get either engineer or stoker to sail on board one of these vessels. There was not a single steam vessel in the service, except the *Terrible*, fit to go into action. There was not one of them that carried more than a few days' fuel on board; and there was not one in which the men were not exposed. He had told the Admiralty, when they began to build iron steam-ships, that they must have them lined with wood both within and without to a certain height. Until a few months ago, they had never tried the effect of a shot on an iron vessel; and they had not even, after thirty years' experience of steam vessels, ascertained whether a funnel could be knocked away by a shot until last year. He held in his hand a list of thirty-three iron steamers in the service, and these had all been ordered or built before the Admiralty thought of trying what effect a shot would have on a vessel of the kind. When they did make the trial, it appeared that the shot went clear through one side, and nearly knocked out the other side altogether. The cost of these ships, large and small, had been nearly two millions. He would ask, what was the use of them? The Admiralty, to show that they were not altogether useless, had turned the *Birkenhead* into a troop-ship. He was on board that vessel the other day, and on inquiry he found that she would not carry a battalion of troops, and that the utmost that could be accommodated was 450 men. He found also that the only place for the cables was the steerage, where the officers had to live. Now, if a shot was fired at this vessel, it would go through her, and the whole of the men on board would be lost. Such a vessel would be utterly unfit to convey troops in time of war, for if she was met at sea and struck by a shot, she would certainly go down. In time of peace, as well as in war, the Admiralty would be bound to furnish every man on board such a vessel with an air collar. He thought the best course that could be adopted with regard to such vessels was to sell them at once, and so get rid of them altogether, for they were only fit to be made coal depôts of. The proceedings with respect to these iron steamers showed the manner in which business was conducted by the Board of Admiralty. There were also eleven screw steam vessels either built or now in course of construction, and of these, the only one that had been effectively tried was the *Rattler*. While he admitted that the *Rattler* had been tried, he must add that it did not appear that any great advantage had resulted from the screw in that instance, as it took up, with the machinery, the whole of the hold. He admitted that the *Dauntless* would afford a fair trial of the principle of the screw; and if it answered in that instance, the adoption of it in other cases might be attended with advantage. In that instance, however, as well as in others he had mentioned, it was clear that ships had been built without foresight, and without a knowledge of the principle on which they were constructed. He now came to another subject, which was well worthy the attention of the House—he alluded to the system of promotion in the Navy. He held in his hand a return of the list of commissioned officers of all grades, soon after the termination of the war, namely, on the 1st of January, 1816. That return showed that there was then one admiral of the fleet, 66 admirals, 68 vice-admirals, 75 rear-admirals, 851 captains, 812 commanders, and 4,014 lieutenants. The system of promotion which then existed, went on without hindrance to 1830, until at last Lord Melville became alarmed at the state in which the system had brought the Navy; and he and his colleagues at the Board of Admiralty came to the resolution to put a stop to promotion, unless under peculiar circumstances. An Admiralty Minute was adopted to give effect to this resolution, by which naval promotion was restricted to one vacancy in three, unless in the case of special brilliant services. The Minute was dated the 17th of February, 1830, and was as follows:—

> "Their Lordships having taken into consideration the state of the half-pay list, and being desirous of operating its gradual reduction in time of peace—Resolve, That from this date no promotion (except for special brilliant service) shall be made in any rank of commission officers (save flag-officers), except in the proportion of one promotion for every three vacancies which may be made by the removal by death, dismissal, or other cause, of officers from the effective lists of each rank kept at this office; death or court-martial vacancies, liable to be filled by commanders-in-chief abroad, not being reckoned. Promotion being thus limited, their Lordships deem it necessary that a control in some degree corresponding should be placed upon the original entry of young gentlemen into the service; they, therefore, resolve that in future all appointments of volunteers of the first class shall be made directly by their Lordships. Their Lordships direct that these regulations be communicated to the commanders-in-chief on foreign stations, with an observation that they do not alter the authority vested in them of appointing by commissions to death or court-martial vacancies; but that they do apply to the subsequent vacancies which may be occasioned by the promotion of an officer into an actual death or court-martial vacancy, and that such subsequent vacancies are to be filled up only by acting orders, as in the case of invaliding vacancies."

He would ask, what had been the effect of adopting this Admiralty Minute? Had the rule laid down in it been adhered to? A comparison of the number of officers in the list of the Royal Navy, on the 27th of February, 1830, and on the 30th of September, 1846, would show whether the former extravagant system of promotion had been abandoned, and the rule laid down in the Minute adhered to. At the former period there were 171 flag-officers, at the latter 139; in 1830 there were 858 captains, and in 1846 there were 730; in 1830 there were 918 commanders, and in 1846 there were 855; at the former date there were 3,550 lieutenants, and at the latter 2,538, showing a reduction of 827 in the number of lieutenants in 1846 as compared with 1830. It appeared from this and other returns that the rule which had been adopted in 1830 had not been adhered to in any case. To illustrate this further, he would refer to another return of navy officers who had died, been dismissed the service, and promoted, between the 27th of February, 1830, and the 30th of September, 1846: 245 flag-officers had died, and there had been 189 promotions; of captains 361 had died, 4 had been dismissed or removed the service; 189 had been removed by promotion to higher ranks, thus making 509 removals, while there had been 365 promotions to that rank. Of commanders 315 had died, 6 had been dismissed or removed the service, and 389 had been removed by promotion to higher ranks, thus making 710 removals, while there had been 685 promotions. Of lieutenants, 1,049 had died, 65 had been dismissed or removed the service, and 1,153 had been removed by promotion to higher rank, making 2,267 removals, while there had been 1,224 promotions. He also found, during the same period, that 47 captains had been promoted for special brilliant service, and 212 by brevet and general promotions, and 3 by death or court-martial vacancies. Of commanders, 112 had been promoted for special brilliant service, 375 by special or general promotions, and 19 by death or court-martial vacancies. Of lieutenants, 127 had been promoted for special brilliant service, 319 by special or general promotions, and 115 by death or court-martial vacancies. Last year 30,000*l.* was granted to enable the Admiralty to make an effective retiring list, so that the list of effective flag-officers should be reduced to 150, and the list of captains to 500; and there were to be no further promotions until the list was thus reduced. Instead of the number of promotions to the rank of flag-officers being such as to make the number 150, it was made up to 160; but now the number was only 2 above the proposed list, as the rest had died. As for the captains, the Admiralty had told the House distinctly that the object in view was to get rid of a number of old officers, and to place a number of young and efficient officers on the list of captains. But what had taken place? 60 commanders had been made captains; and of the officers thus promoted, several were as old as many of those who had been removed off the effective list of captains. It was a breach of faith, then, on the part of the Admiralty, to make such a promotion, while they had reduced the list of captains to 500. The effect of this proceeding on the part of the Admiralty would make the patronage of that board greater than ever. It was clear from the returns that had been made, that the Admiralty would have the promotion of twenty-five officers to the rank of captain every year. So it was with respect to the list of commanders; and yet the Admiralty had promoted eighty old lieutenants to that rank. The Admiralty had imprudently ordered three screw-vessels to be built, without having tried one; and thirty-three iron steamers, without trying any of them. They had likewise last year ordered four line-of-battle ships—seventy-fours, and four frigates, to be cut down to steam block-ships. He hoped the Secretary to the Admiralty would tell them whether there was any contract for that work. There they had those four seventy-fours and four frigates to be altered, at an expense of he did not know how much. He perceived an item of 18,000*l.* voted last year for repairing those ships; but that sum would not do one of them. How then was it to be done? They were not yet finished, for one of them was still going on in Mr. Green's yard; and one case he should particularly mention, in which a vessel, acknowledged to be a fine frigate, was turned into a bad steam-boat. Now the sum of 18,000*l.* was in the estimates of last year set down for repairing steam guard-ships, but there was no vote at all for the purpose in the estimates of the present year. There was a sum last year of 120,000*l.* for building iron steam vessels. This year, for the same purpose, the sum was 78,175*l.* The best thing he could recommend them to do with those vessels would be to get the contractors to take them off their hands, for they were good for nothing. They were no use for war, and those that had been on foreign stations were found to have their bottoms so deteriorated that they would never be fit for anything. When the House then, and the country, voted away so much money, it was necessary they should know how it had been expended. He hoped the present Admiralty would do better than their predecessors in office had done. They had not been long enough in to enable a judgment to be formed upon their acts; but he hoped from what he had heard that they would improve upon those who had gone before them. He understood that a commission had been lately appointed by the board, and that it was sitting in the Admiralty for the consideration of the propriety, and with the view, of increasing the pay of the men, and for the purpose of specially considering the increase of pay to engineers. Now, that was a question of great importance; for we never, by accident even, sent a steam-boat to sea, but she surely broke down. He thought the cause of such accidents was attributable to the parsimony of the Admiralty, which by sending inferior engineers to sea—persons who were previously unacquainted with the vessels, did not take sufficient precaution. They never sent, as they ought, a man to the vessel when she was fitting out, to see that her machinery was good, and properly placed in her. He himself knew a case in which an engineer who had seen the machinery fitting up in a steam vessel, knew that there was a fault in it, and that vessel was sent to sea, at the risk, not only of the loss of the ship, but of the valuable lives on board of her. He thought that engineers ought to have at all events the same rating as lieutenants in the Royal Navy. He believed that the Admiralty had it in contemplation to rate them as such. [Admiral DUNDAS: Engineers have got that rating.] He was glad to hear it. The petty officers ought next to be thought of, both first-class and second-class; and the seamen ought to be paid better than they had been hitherto, so that the punishment they would have in their power to inflict upon the men would be dismissal from the service. If the service were made so good as that discharge would be a punishment, they would be soon enabled to get rid altogether of the question of corporal punishment in the Navy. He wished, therefore, to know whether the Admiralty were ready to pay attention this year to the suggestion of increasing the pay. He might be considered rather exacting in requiring so much from a new board; but he liked to keep the Admiralty to their trumps, and so he began at once with them. He wished likewise to know whether they had yet established a seamen's home? And he should also like to be informed upon the subject of the merchant seamen's fund. The House had been promised that it should be looked after; and he should like to know the result. If the Government did not intend to ameliorate the condition of the merchant seamen's fund, they had better repeal the Act at once. There was another question which also was one of great importance. He was aware it was one about which the Admiralty itself had great doubt, but he thought it one of great importance. It was so, too, with regard to the Registration of Seamen Bill. The subject had been began by a right hon. Friend of his a great many years ago. About two years ago the late Secretary of the Admiralty (the right hon. Sidney Herbert) and himself brought in a Bill to register the men, and it had done a great deal of good. He had received a letter from a friend of his upon the subject, which stated that in the year 1845 the number of register tickets issued was 18,013, and the desertions amounted to 4,000; whilst in the subsequent year the tickets amounted to 23,000, and the desertions were only 2,0000. He thought the system might be further improved; and Mr. Brown had suggested a plan for preventing desertions, and at the same time saving the men from being cheated, by having a person to seal the tickets. He next came to the subject of enlistment. As the law stood, Her Majesty's proclamation being issued in time of war, calling on seamen to enlist, each able seaman who appeared in answer to the call within five days, became entitled to 10*l.* bounty; and ordinary seamen and landsmen volunteering were entitled to bounties in proportion. Now, if 40,000 or 50,000 men were to offer, as they might, in answer to such a proclamation, the moment it was issued the Chancellor of the Exchequer should be prepared to come out with 500,000*l.* at once. Now, that Bill should be amended. He would not take away the bounty altogether, because it would be breaking faith with the men who were entitled to receive it; but only in the event of hostilities actually taking place should the bounty be given—when, in fact, the men would be likely to be employed for some time, and not merely for two or three weeks. As the law stood at present, by the issue of a proclamation the whole merchant service would be deranged; but if they arranged so as that every boy who was apprenticed to the merchant service might be called on when out of his time to serve in the Royal Navy, they would be able to call upon just as many men as might be necessary at any given time. The necessities of the merchant service would thereby be attended to. But much good might be effected by the Government if they would consider the composition of the Board of Admiralty, and re-arrange the disposition of the business. Many of the errors that had been committed throughout the service arose from the fact, that the First Lord had a great deal too much to do; a great deal too much was thrown upon him, and unfortunately it was his own fault. The First Lord thought he must have all the dockyards as well as all the fleet under his own hands. He would suggest that the senior officer of the board should have all the fleet to look after, and that the whole of the dockyard business should be looked to by the next. He could speak with some degree of experience on the weight of dockyard business, having been allowed by the late Admiralty to build one ship himself, and he gave the whole of his attention to it. He had the builders and the engineers down to consult together over the construction, and he could assure the House that such a course was necessary, in order that each should properly understand his duties. In the construction of steam-ships the man who built the vessel, and the man who had to construct her engines, ought to be brought together to consult, as it was impossible otherwise to decide where the shafts of the engines should be fixed. They should arrange how to dispose every ton, and that would be utterly impracticable when the engineer was in Glasgow and the shipbuilder at Portsmouth, and they were never brought together to consult. They neither had any one to tell them the weight or height of anything, or even what height the guns should be out of the water. The First Lord of the Admiralty could not, if he were a young man of 30, go through the requisite duties properly, and he had himself told Sir George Cockburn so; and how, then, could it be possible for a man of 70 or 66 (as he believed was about Sir G. Cockburn's age) to get through them? He knew that the gallant Admiral opposite (Admiral Dundas) agreed with him. In fact it was notorious that the common expression was, "The First Lord of the Admiralty has too much to do." The next point to which he would allude was the manning of the ships. He should give the hon. and gallant Captain (Captain Berkeley) the credit of having, on the subject, done the best thing that had been hitherto attempted. in having directed the forty-gun ships to carry their full complement of men. But he found that they were 4,000 men short of the full complement required for the service. ["No, no! —4,000 over."] He admitted the correction. He should have said 4,000 over. It was only a mistake. But the noble Lord who moved the Address last year had stated, that no ships should again be sent to sea without their full complement. Sir G. Cockburn said the same. The three-deckers were to carry 1,000 men. They were to be crammed to overflowing. But when the squadron—that squadron which had attracted so much observation—put to sea, those vessels, instead of having their full complement of seamen, had the numbers made up with 200 or 300 marines. Three of them, with those short complements, were still in the Mediterranean, and one of them was at Lisbon. If, then, they had 3,000 or 4,000 men over the number requisite to complete all the crews, how were they to be paid, for he understood that in some vessels there were 100 short? And if the 4,000 were to be paid off, how were they to fill up the complements of those ships that were still at sea? He asked the pardon of the House for having at such great length occupied its attention, even at the risk of wearying the attention of his noble Friend—if the noble Lord the Member for Lynn would allow him to call him so. The noble Lord had stated his opinion a few nights back to be, that he (Sir C. Napier) was like a fish out of water the moment he stepped off the quarter-deck. But surely his noble Friend should have considered, before he used such an expression, that he himself was liable to a similar animadversion. He too had his quarter-deck, and his quarter-deck was Newmarket and the turf. He (Sir C. Napier) wondered that the noble Lord, when he came into the House, did not recollect that he might be suspected of knowing little of the subject which he had undertaken. But as the noble Lord had spoken of the *Sidon*, he begged to tell the noble Lord that she would be ready for sea by Saturday night, and if the noble Lord would do him the honour of accompanying him, he would give him a cruise to the Isle of Wight, which might give him some idea of the vessel, and he should have the best bottle of port wine that could be procured, which would console him in some degree for the loss of his Railway Bill, and the awful defeat of his great party.

Mr. CORRY said, that he was very unwilling to detain the Speaker in the chair, and that as most of the arguments which they had heard that night had been advanced by the gallant Admiral on, at least, half a dozen former occasions, and had been as often answered by himself and others, he need not advert further to them than to refer the gallant Admiral to the volumes of *Hansard*, up stairs, where the whole were, doubtless, faithfully recorded. But there was one point on which he felt himself called on to make a few observations, not only because the credit of the late Board of Admiralty was involved in it, but also because it was in itself of considerable national importance: he alluded to the conduct of the late board, in so largely constructing iron ships of war. The matter was of national importance for two reasons. It was known that by far the largest portion of the timber used in the construction of ships of war was of foreign growth; and it was, therefore, a material point, if iron, which was easily procured in this country, and in any quantities, could be safely applied to the building of ships of war; and secondly, if there was a sudden demand for an increase of our naval force, as there was during the last war, when forty ships of the line were required at once—which, on account of the cost to which the country was put by their repairs, were afterwards known by the name of the *Forty Thieves*—it would be totally impossible, either in our public dockyards, or in the yards of private builders, to find a sufficiency of seasoned timber; and the necessary consequence would be premature decay. These were, he thought, reasons quite sufficient to justify the late Board of Admiralty in fully testing the experiment of constructing steamers of iron; but the gallant Admiral said that the late Government carried that experiment to too great an extent; he said that it appeared from a return which had been laid on the Table of the House, that thirty-three iron vessels had been ordered since 1840. Now, the number out of those thirty-three actually ordered by the late Board of Admiralty, was only twenty-four; the remainder, consisting of five or six small vessels which were built by the preceding board, and of three or four packets, he believed intended for the Holyhead station, which had been ordered by the present Government. The gallant Admiral had, in the course of his observations, questioned the fitness of iron as a material for building vessels designed for ordinary purposes, as contradistinguished from purposes of war. He had stated that the *Grappler* had so strained herself, that nearly all on board were lost. He thought that if that were so, it must have been the result of some accidental defect, for he believed that for general purposes nothing was more fully proved than that iron was a fit material for the construction of vessels. In coming into that House that evening, a paper had been put into his hand by an iron shipbuilder, who had built no less than 250 iron vessels, some of them of 1,800 tons; and that was a pretty good proof of the opinion entertained by the merchants of this country of iron being a fit material for constructing vessels; and, if there were any doubt upon that point, he need only turn to Dundrum Bay, where the *Great Britain* had been lying for months almost uninjured, although exposed to the action of a sea which few wooden vessels would have been able to withstand. He was aware, however, that the gravamen of the charge against the late board was involved in the question of the fitness of iron as a material for vessels intended for war. Now, of the twenty-four vessels ordered by the late Board of Admiralty, six—the *Bloodhound* and *Harpy* class—had only been temporarily employed as men-of-war, and were never intended to be so employed permanently; having been built merely for the purpose of keeping up the communication between the dockyards, conveying newly-raised men, and other such services. Several others were built for the packet service. Another was Her Majesty's yacht, the *Fairy:* and out of the whole twenty-four only seven were intended or ever designed by the Admiralty for the purposes of war. Again, of these seven, two—the *Sharpshooter* and the *Teazer*—were of very small size; and if they failed, the loss would not be much. There were, however, five large vessels which had been designed for war purposes, the *Birkenhead,* and the four other large steam frigates to which the gallant Admiral had referred: the gallant Admiral had chosen to assume that the late Board of Admiralty had embarked blindfold in this experiment, and that they had had no proof that iron was a fit material to oppose to shot. He did not know where the gallant Admiral had been living of late; but he believed that every other Member of the House had heard of the *Nemesis*—an iron vessel—which had rendered such brilliant service during the Chinese war. It was the favourable reports they had received of that vessel, that first led the attention of the Government to the building of iron vessels. They had received similar reports of the *Guadaloupe,* a vessel that was built for service under the Mexican Government, and had been commanded by Commander Charlewood. The gallant Admiral said that an experiment had been tried at Portsmouth, and that that experiment was conclusive against iron for ships of war. But that experiment was tried on a vessel that was never intended for war; one that was built before the late Government came into office, merely for the purpose of carrying shipwrights from Portsmouth to Spithead, and having the lightest possible scantling; her plates having been originally only ⅜ of an inch think, and reduced by wear, as he had been informed, to little more than half that thickness. Against this experiment he would appeal to the evidence of Captain Hall, who had so ably commanded the *Nemesis* during the whole of the operations in China, as well as to the evidence of

Captain Charlewood. Captain Hall stated in a letter which he (Mr. Corry) had lately received from him, that—

> "The *Nemesis* was frequently struck, as often as fourteen times in one action, and much damaged by shot in her upper works; but only one shot can be said to have gone straight through the vessel, which made a hole as if you had put your finger through a piece of paper. Other shots struck the *Nemesis* in a slanting direction, and merely indented the iron, glancing off without penetrating. We remarked no particular danger from splinters of iron; but I would observe, that the *Nemesis* was constructed of the best possible material, and put together with the best possible workmanship. She was also divided into seven water-tight compartments; and I am of decided opinion that no war-steamer of iron should be divided into less. The *Nemesis* had holes knocked in her bottom many times by sharp rocks; but those were easily stopped for the time by driving in plugs of wood and oakum from the inside. For myself, judging from my own experience, and well knowing that the sides of iron steamers (particularly between wind and water) could be strengthend and supported so as to prevent the destructive effects of shot, which have caused so much alarm, I should still give the preference to an iron over a wooden steamer as a command under all circumstances."

And Captain Charlewood, of the *Guadaloupe*, referring to that vessel in a letter to him, written only a few days previously, said—

> "Notwithstanding the extraordinary report which had been sent home of the effects of shot upon one of our iron men-of-war, my opinion is as strong as ever upon this subject, providing the vessel is properly built; and I should still certainly prefer commanding an iron steam frigate to a wooden one. I think also that you will consider my opinion as to the effects of shot upon iron vessels is not a rash one, or made upon slight grounds, when I inform you of the following particular cases which occurred to the *Guadaloupe* Mexican steam-frigate, two of which occurred when I was actually on board in command of the vessel, and the others very shortly after the Admiralty order reached me instructing me to return home, when Mr. Martin, a relative of mine, was in command. Full particulars of each case I have both from him and other officers who were on board:—1. A 24lb. shot struck the vessel on the bow, at the point where the woodwork of the head is bolted on the bow, and consequently lies on the iron side. This shot, fired from a distance of about 1,000 yards, passed through the woodwork, say about five inches thick, and the iron, and dropped on board, simply making a hole sufficiently large to let the shot pass through. 2. A shot struck the counter, indented the iron, and glanced off; had the vessel been constructed of wood, this shot, I think, would have entered. 3. A 24lb. shot, nearly spent, struck the iron bulwark on the inside, having passed over the port side of the vessel; this shot started the iron and burst the rivets of a plate for about nine inches in length. 4. A full plumper 24lb. shot struck just abaft the mainmast, on the port side, and about two feet under water; this shot passed through the side, and lodged in the coal bunker; the hole was made quite tight temporarily with a common plug; no rivets were started, or damage done, beyond the circular hole made by the shot. 5. An 18lb. shot fired at a distance of about 200 yards; this shot struck the vessel's side near the foremast, passed through the iron, making as clean a hole as if it had been drilled, and through three casks of salt provisions. These shot-holes were all repaired by the boiler-makers, who served on board as engineers and firemen. Four holes were drilled round each shot-hole from the inside, corresponding with four holes in an iron plate, which was lowered down on the outside, and four screw-bolts made them perfectly tight and secure, not a drop of water finding its way through; the vessel was in severe weather repeatedly afterwards, and I believe that to this day nothing more has been done to these shot-holes. I should remark that the case No. 3. of the spent shot, would have been the worst leak to contend with, had it struck the vessel under water, as a plug could not easily have been applied; but still the leak would not have been comparatively a severe one. Several other shots struck the vessel about the hull, both when I was on board and afterwards, but these are the only cases worth mentioning, and which have any bearing upon the question in point."

He thought these statements were pretty clear as to the opinion of two officers of the greatest experience in the English Navy with respect to iron vessels; and he asked whether the opinion of the gallant Admiral, who had had no experience of iron vessels, deserved to be set against that of officers who not only stated facts which had come under their own observation on actual service and under fire, and which went directly to prove that iron was a fit material for steam vessels of war, but who both declared that they would actually prefer an iron to a wooden steamer, as a command, under all circumstances. The late Board of Admiralty had not, however, intended to construct any more iron steamers, until the vessels they had already built were fully tested; and he thought the present Board of Admiralty would act wisely in adopting the course he believed they were adopting, in holding their hand as to building more, until they had been fully tried. He hoped, however, they would not allow these iron vessels to be shelved, until they had had the most convincing proofs that iron was not a fit material for ships of war; and, even if it should so appear, still the iron steamers now in progress of building would be of the greatest possible service for the conveyance of troops; a service for which vessels of that description were much required, and for which they would be admirably adapted. The gallant Admiral said, he thought it extremely rash in the late Board of Admiralty to construct so many as seventeen screw vessels, without trying the effect of the screw first. He (Mr. Corry) recollected that in that House the hon. and gallant Member for Brighton was always taunting the Board of Admiralty for not building screw vessels—[Captain PECHELL: Because you were so long about it]—and the gallant Admiral said they had been too hasty. It was really no very easy matter to satisfy everybody; but when the gallant Admiral said that they had not tried the effect of the screw, he replied that the experiment had been fully tested in the *Rattler*, in the *Great Britain*, and in other vessels. These experiments had been so successful, that it was almost the universal opinion that the screw must supersede the paddle-wheel as a propeller in vessels of war; because, even if there should be a loss of speed, it would be more than compensated by the security which would result from the circumstance that the whole of the machinery, including the steam-chest and the propeller itself, would be under the water line, and thus protected against shot. The gallant Admiral also complained that the late Government had converted eight ships of the line and frigates into steam guardships, without trying one first. But these vessels were not designed for services requiring great speed, but were merely intended for the defence of the dockyards and adjoining parts of the coast, and had been fitted on the recommendation of a commission composed of officers of great experience and ability; and there could be no doubt but that they would prove perfectly successful for the purposes for which they were designed. He believed that he had answered the whole of the gallant Admiral's objections to which he thought it necessary to advert on the present occasion; and he would, therefore, trespass no further on the time of the House, as he was very unwilling to detain it from going into Committee on the Navy Estimates.

ADMIRAL DUNDAS said, the attack which the gallant Admiral opposite had made on the present Board of Admiralty, as to promotion, was most unjust and illiberal; and the comparison he had drawn, as to the number of officers promoted, was most erroneous. He held in his hand a list of the state of the Navy in 1816 and in 1817, and he found that in that period no less than 1,454 officers had died. In 1816, the number of admirals was 210. It was now 156. Of captains, in 1816, the number was 851. It was now 697. Of lieutenants, in 1816, there were 4,014. There were now 2,448. So that in that number of years 1,500 had disappeared from the list. The number of promotions that had been made of lieutenants, for meritorious service, by the present Board of Admiralty was 160; and he regretted that when that promotion was announced, the number was not doubled, to show the sense of the Board of Admiralty had of the services of those officers.

CAPTAIN HARRIS expressed his satisfaction at learning that it was not the intention of the Government to convert men-of-war into carrying vessels. Any such arrangement would interfere with the discipline of the men. Neither would it do to take the guns out of the ships. If the House would look at the relations which existed between this country and France, it would see that they were not such as to justify the disarming of the vessels, and sending them to the Black Sea for grain, thus rendering them liable to be intercepted on their return should war arise. He would not object, however, to the employment of ships in ordinary to purposes calculated to facilitate the introduction of food into Ireland. With respect to the vessels that had been, and were to be, as it was termed, converted, there was, he thought, great reason for complaint: the armament of this small frigate-class was unsatisfactory. They had ponderous swivel-guns on the upper deck, and the men working them were without protection; in close action those vessels were most likely to be over-matched, whilst the hatchways being very small, they were liable to be carried by boarding. There was also the difficulty of working the heavy guns when they became heated. Further, he wished to call the attention of the House to the manner in which the steam vessels belonging to the Navy were built. They were built solely with a view to speed, and were quite too narrow and sharp to carry the weight of metal and machinery which men-of-war ought to bear. With these remarks he should, perhaps, content himself, had not blame been thrown by the gallant Admiral on the subject of the late promotion; now he was bound to declare that he quite approved of the spirit which actuated the Admiralty in their recent arrangements respecting promotions. If they desired to secure the service of young and active men, they must be liberal in the matter of promotions. He was quite of opinion that the Admiralty had in this respect been actuated by a proper spirit, and had done all that could be expected from them. As to the subject of punishment in the Navy, he felt that that was one which would be much better discussed at the Board of Admiralty than in the House of Commons. He must, however, say, with reference to the order that had been already issued, that if a captain were not competent to control his crew at home, he ought not to be trusted with large powers upon foreign stations. While fitting out a ship, a captain would naturally be loth to make a report to the admiral in command, and the gallant Officer opposite well knew that on the training of the first three months depended the discipline of a ship's company. If punishment were necessary in any given case, it ought to be inflicted according to a settled plan, and Government ought, instead of encouraging Members to come down and make Motions—they ought, he contended, to propose to the House some plan of their own. If the Admiralty would come down with a definite plan upon this subject, they could then deal with it according to its merits; but, after what had occurred the other night upon the subject, he thought that they would hardly be secure in adopting at once any measures that might be thrust upon them with a view of abolishing altogether the present system. His own opinion was, as he had before stated, that there should be a gradual reduction of punishment. He would limit the authority of captains to punish only to the extent of thirty lashes to be inflicted for special offences named in the Printed Instructions. He would limit the authority under court-martials, to award fifty lashes the same as in the Army. He did not think they could go safely beyond that at present. He did not, however, say it was impossible that they should ultimately do without flogging altogether. It was a well-ascertained fact that many men came under the lash from taking a glass too much of grog; and many of the young men could not drink the allowance of spirits with impunity. Now he thought it would be a material improvement to give the men the option of taking up an additional quarter of a pound of salt beef in lieu of the quarter of a pint of rum. The cost of both was nearly alike. If a man were therefore found to be the worse for liquor in the evening, it would have a very good effect to leave it at the discretion of the captain to have his grog converted into beef. He was of opinion that this would be a great improvement.

MR. HUME coincided with most of the views expressed by the gallant Admiral (Sir C. Napier) with regard to the building and alteration of ships. No subject connected with the estimates was more important than this; and if he had not known that the present Admiralty were engaged in devising means to prevent such waste, he should, before this, have brought the subject under notice. No question could be more clearly demonstrated than this—that the building of ships for the Navy had been upon the worst principle, and that they were worse constructed than those of any country in the world. There was no instance anywhere of so many ships being cut down and altered; and for the last twenty or thirty years there had been no instance of any ship built for any particular purpose turning out fit for that purpose. The waste of materials and labour he believed to be equal to what the gallant Admiral (Sir C. Napier) had stated; and he never saw the right hon. Baronet opposite (Sir James Graham) when the Navy was mentioned, without feeling that in 1832, when he was First Lord of the Admiralty, he struck the greatest blow that had ever been levelled against the naval architecture of this country. The report of the Commissioners appointed in 1806 to inquire into the civil affairs of the Navy, stated that at that time our naval architecture had been neglected. We had not a ship then but what was built from foreign moulds. Our best vessels were taken from the French, Spaniards, Danes, and Swedes. He blamed the Government of the day for not having adopted a better system. The consequence of that report was the establishment of a School of Naval Architecture, which, he contended, the gallant Admiral had not proved inefficient. As to promotion, he should be prepared to show the House that the late step had cost the country a million and a half. He did not grudge the money if it were applied to a useful purpose; but if it were not, he should grudge it. Concerning wages, he would recommend the Government to allow them to follow the general rule. They must not think of keeping up the same rate at all times. The rate must depend upon the demand. If in time of war, wages were limited to the same rate as was paid during peace, men could not be blamed if they deserted when they were wanted; but he was confident if the power of the Government were exercised so as to render their situation comfortable, and to improve it, they would have abundance of men in war, as well as in peace. A fair rate of wages would prevent any difficulty in manning the Navy. The step which the Admiralty had taken was honourable to them, and he hoped they would not be led away from it.

House in Committee.

Mr. WARD said, he could not help feeling very strongly impressed with a sense of the difficulty of discharging the duty of laying before the House a statement respecting the Navy estimates for the present year: first, on account of the large expenditure at present necessary, and, secondly, on account of the great variety of items over which that expenditure was distributed, which made it difficult for him to lay before the House a clear and intelligible statement, without trespassing largely upon its indulgence. He would begin by stating that the gross estimates would exceed those of last year by a sum of 62,284*l.* But the difference in the money actually to be voted, was still larger; for the credits in aid for the year 1846-7, were 190,461*l.*, while the credits in aid for the present year would be 175,322*l.* The difference between these was 15,139*l.*, and the difference in the net votes would amount to 77,423*l.* He agreed with his right hon. Friend the Member for Portsmouth, and his hon. Friend the Member for Coventry, in some of the observations which they made upon the financial statement of his right hon. Friend the Chancellor of the Exchequer. He was as much impressed as they, or as any one could be, with the conviction that there was no subject more deserving of the watchfulness of Parliament, than this tendency of the estimates to increase during a time of peace. Hon. Members had adverted to the state of the estimates in the years 1834 and 1835, when they were 4,245,723*l.* and 4,533,543*l.* respectively; but if there were any force in that reference, he saw no reason why they should not go as far back as the year 1817, when the whole number of seamen and marines amounted to only 19,000. Why did not his hon. Friends do this? Because common sense told them that no country could fix a standard for its naval expenditure without reference to the expenditure of other countries. All power was relative. It was power only until it was met by a power greater than its own. The nations of Europe had now enjoyed a long peace. In 1817 they were at the close of a long war. Their resources were then exhausted. They were now in a different condition. They had been allowed time to recruit their resources, and a naval establishment, which would have been adequate, or ample, might, in 1817, be quite inadequate to our present exigencies. When he used the word "inadequate," he meant it only in reference to national defence, and not to purposes of aggrandizement. He felt as strongly as any man the blessings of peace; but he felt also that the best, nay, the only way to secure them, was always to be in a position to defy hostility; and he believed that there would be no man in that House who, on that principle, would not feel that we must keep up a parity of position with other Powers, in the great scale of national importance. Two things, therefore, he must do, in order to obtain the assent of the House to the vote he was about to propose: first, he must show what the increase in the effective strength of the Navy really was; and, secondly, he would show that such increase did not bear more than a fair proportion to the increase of the naval strength of other Powers. Indeed, he very much doubted whether we had as yet taken precautions enough; whether we had reached the point at which we could stop, consistently with the maintenance of the honour and integrity of the empire. First, then, what was the increase in the naval establishment? To come at the real increase, it was necessary to strip the subject of all extraneous matter; for instance, the packet service, which had gone on swelling the estimates from year to year. He did not say that there had been an improper increase in this department: it had been the natural consequence of the increase of intercourse with our colonies and dependencies, and with other commercial countries. Still, the House must bear in mind, that whereas in 1830 the amount required for the packet service was 27,870*l.*, and in 1811 only 24,040*l.*, the vote he should propose to-night included no less a sum than 820,083*l.* for that service, in one shape or other. There were also other branches of charge in which there had been a great increase, but which did not directly belong to the effective naval service of the country, such as the army and ordnance transport service, the troop ships, and the victualling of them, as well as the supplies furnished to other departments; the difference between the half-pay and the pension list, calculated upon a scale corresponding with the present active list of admirals, &c.; and the present dead weight, including the half-pay (725,788*l.*), and pensions to widows and seamen (491,447*l.*) The total amount of these different branches of charge, which could not be said to form a part of the effective naval service, but were nevertheless included in the estimates, was 1,564,948*l.* The House would find, therefore, that the total sum applied by England to the maritime defence of the country, including the wages and victuals of seamen and marines, the dockyards, building, repairs, steam machinery, afloat and ashore, &c., was 5,996,928*l.*, after deducting the non-naval services from the net vote for the current year, or 7,561,876*l.*; by England, too, be it remembered, a country which had no other defences, of which the coast was unprotected, which had a disposable army of but 20,000 men, without a militia, a fortified town, or any military organization whatever. And yet, while we voted, under these circumstances, but 5,996,928*l.* for our naval service, France, by her estimate for the present year, which he had received a day or two ago, devoted, to the same purpose, 5,639,383*l.*, making a difference between France and England of only 357,545*l.*, although France had her coast admirably fortified, her capital impregnable, a standing army of 300,000 men, and a national guard of a million to fall back upon. And at the same time, the House must be aware that within the last two years a remarkable change had taken place in the naval establishment of France. In 1846, the Chamber of Deputies added, on the deliberate report of the Government, an extraordinary credit of 93,000,000f., to be spread over seven years, to the ordinary estimate for the year. The estimates for the year 1847-8 amounted to 140,984,591f., or 5,639,383*l.* Of this amount, 19,800,000f., or 792,000*l.* were for extraordinary service, which, added to the ordinary service of 121,184,591f., or 4,847,383*l.*, made up the grand total. The amounts ordered to be applied to shipbuilding very considerably exceeded the amounts which should be appropriated, were the proportion of the seventh part of the 93,000,000f. strictly adhered to. And the Minister of Marine, at the close of his report, said in explanation of this—

> "It is thought to be in harmony with the manifest intentions of the Chambers, that the building of new ships should be proceeded with as fast as possible, so as to complete the projected increase of the fleet as soon as can be done, without waiting for the term of seven years. The works for 1847 and 1848 are regulated with this view. The sum of 2,100,000f., 84,000*l.*, for steam-engines likewise, and for the same reason, exceeds the proportion of the seventh."

The great object of this increased expenditure was, that France might increase the number of her ships from 359, which they were in 1846, to 390, which was what they intended to be. Now, he found no fault with France for these things. France did what she thought right and necessary for the maintenance of her position. She set us in many respects a noble example. He admired the wise and systematic liberality with which her great naval works had been carried on from year to year till she had compensated herself for the natural disadvantages under which she laboured, along the whole coast of the Channel, by some of the most magnificent works now in existence. Along the whole coast from north to south—from Dunkirk and Calais, to Havre, Cherbourg, St. Servan, Brest, L'Orient, Indret, Rochfort, and Toulon—works were going on of which that House had but little conception either as to the actual importance of the works themselves, or of the magnificent artificial harbours that were being constructed there. For Cherbourg, 44,000,000 francs had been appropriated; 18,000,000 for the breakwater, and 26,000,000 for the dockyard. The yard contained 231 acres, and 16 building slips; and 6,000 workmen were employed there; while the breakwater exceeded that at Devonport by one mile in length. At Brest the steam establishment was on a larger scale than any which England possessed. The smithery contained 127 fires, while that at Portsmouth had only 48; and the same proportions were maintained at the other harbours. These facts, it appeared to him, ought to be a lesson to us. They imposed a very heavy responsibility on those who were in power in this country. It behoved them to take care, by the proper development of our resources in time of peace, to prevent the balance of power being changed in case of war. It was true that England had no need to vie with France in the extent Government had gone to in these great Government establishments, because, besides our natural advantages, there existed so many resources of a private nature, in the hands of commercial companies and individuals, which could be made available in the event of additional naval power being required. But, even as between Governments, a certain parity must be kept up between the naval resources of the two nations. England must not grudge the money that went to fortify her arsenals and coasts, for the worst possible economy was that which left them exposed in the event of war. He could not congratulate the House on its work in this respect being nearly done. It was only begun within the last five years. We did not begin till 1842; while France had carried on her works systematically for sixteen years. The finest naval stations in the world, were ours, and we had scandalously neglected them. Bermuda was a disgrace to us. Malta was yet far from being complete; and both Portsmouth and Devonport were most inadequately defended. Throughout the Mediterranean we had not a place where a steam-boat of any size could be repaired. He did hope, however, that the dockyard establishment at Malta would, ere long, be so improved that every necessary repair of steam-vessels might be effected there with as much ease as in this country. From what, however, had this state of things arisen? From the unwise economy, the miserable parsimony, which had refused in former years to look forward to inevitable necessities. Ten years ago we thought of nothing but cutting down the establishments of the country; and now we were obliged to crowd into three years what ought to have been spread over ten; and the consequence was, that what every one admitted to be inevitable, was done under ten times greater pressure than it otherwise would have been, and at a time when the Chancellor of the Exchequer could very ill spare a single shilling beyond the current necessities of the country. And yet there was no help for it, unless we were prepared to leave this mighty empire in a state which no man would say the power of England ought to be left in. It might, however, be asked, what had the present Board of Admiralty done to redeem the promise they gave last year, that they would improve and systematize our naval resources? In the first place, he must answer, they had done, and were prepared to propose, much less than they could have wished. But any hon. Member who listened to the statement made the other night by the Chancellor of the Exchequer, must have seen how small was the margin with which the public departments had to deal. The choice was less as to what to do than as to what to leave undone; and many things had been left undone which he (Mr. Ward) sincerely regretted. The question raised last year as to the naval reserve, they had been compelled to postpone; and they were also unprepared to deal with the question of coal depôts, though they felt them to be most essential. The works at Bermuda must be suspended for another year, until those were finished which were nearer home. It was thought more necessary to add 1,500 men to the marines (which would be proposed under vote No. 1), and to reorganize entirely the corps of naval engineers. Nothing, it must be admitted, could be more pressing than this latter subject, considering the great importance of the duties which the engineers had to perform, and the detriment to the public service arising from the incompetency of many of those who were now employed in that department. A Committee had been appointed to consider the subject, consisting of officers who were thought to be best acquainted with the steam navy, and presided over by his noble Friend Lord John Hay. That Committee made a most able and conclusive report. It admitted at once that the inferiority of the pay in the Government service, as compared with others, drew away from that service the men most eminent in character and abilities, and left the service too often as the last resource for the ignorant and unworthy. The report then went on to make a comparative statement of the pay in the Government service, and that of the East India Company or of the merchant service. In both those services, the duty was much better performed than in Her Majesty's service, because they could command the best men. It appeared from the statement of the Committee that the pay of a first-class engineer in Her Majesty's service was 13*l.* 8*s.* per month, no allowance being made for outfit, nor any addition for long service. In the East India Company's service, besides an allowance of 50*l.* for outfit, the pay of a first-class engineer was 15*l.* 7*s.* 8¼*d.* per month for the first three years; 19*l.* 4*s.* 7*d.* for the next four years; and from the eighth year, 23*l.* 1*s.* 6*d.* per month. In the merchant service, the West India, and China Packet Companies' service, and the other great private companies' service, the pay of a first-class engineer was, for the India and China packets, 25*l.* per month; for the Mediterranean 16*l.* per month; and for the West Indies, from 16*l.* to 20*l.* per month. In the one service they were reckoned as men of a high—almost liberal—education; while, in the other, they ranked below the lowest warrant officers, were not treated as gentlemen, until most of those who really were gentlemen, and were qualified, had been driven from the service. Now, with reference to this branch, it was proposed by the Committee that the corps of engineers should be classed in three divisions; that there should be, first, a class of engineers who should be called inspectors of machinery afloat; then, that there should be a class called chief engineers; and, lastly, that there should be another class called assistant engineers. The two latter classes were to be subdivided, severally, into three classes. It was proposed that the inspectors of machinery afloat should rank with, but after, masters of the fleet; that the chief engineers should rank with, but after, masters; and that the assistant engineers should rank with, but after, second masters. The inspectors of machinery afloat would receive 25*l.* per month; the chief engineers, first-class, 20*l.* per month; second-class, 16*l.* per month; third-class, 14*l.* per month; and the assistant engineers, first-class, 12*l.* per month; second-class, 9*l.* 10*s.* per month; third-class, 8*l.* per month. It was further proposed that the examination of candidates for entry or promotion should be most rigid; and that the assistant engineers should be entered on probation, as "acting" for the first year; also, that as opportunities offered, they should be encouraged to go into the factories to acquire practical skill in the use of tools, &c. It was also recommended that a chief engineer should always attend the construction of engines ordered of private manufacturers, after the payment of the first instalment, in order that he might supervise the work, and acquire a thorough insight into their mode of construction, he also having charge of them when fitted. The chief engineers were to be allowed the privilege of studying at the Royal Naval College. These arrangements, he conceived, would be found most advantageous in practice; for he could say, with reference to his own short experience at the Admiralty, that, since he had been there, half the accidents that had occurred in steam-ships had arisen from the incompetency of the engineers. With regard to the office of inspector of machinery afloat, it was considered desirable that an officer of very superior attainments should be borne in the flag-ships, for the purpose of inspecting and reporting on all matters connected with machinery. It often happened under the present system that vessels were detained or withdrawn from service for trifling defects, or returned from foreign stations before it was absolutely necessary that they should do so. The additional expense of this proposed scale of pay for the engineers would be ultimately from 7,000*l.* to 8,000*l.* a year, exclusive of the inspectors' pay. The sum required for the present year would not be more than 4,000*l.*, which he conceived could not be regarded as being too much, when it was remembered that the value of the machinery under the immediate charge of these engineers was at the present moment estimated at 1,400,000*l.* The additional expense of the whole proposed scale of pay, would not amount to above one-half per cent on this sum, or about 3½ per cent on the average annual cost of maintaining this machinery in efficient working condition. It was proposed to take a vote of 500 men for the marines, for twelve months, and 1,000 men, for six months only. It was also proposed to take (under No. 8) 20,000*l.* for the organization of corps of artificers for the defence of the dockyards; and if he might judge from the spirit that had been shown in entering into them, these corps might be expected to prove very useful hereafter for defence. The number of men who had already enrolled themselves in the different dock and victualling establishments, were, at Deptford, 900; at Sheerness, 866; at Chatham, 968; at Portsmouth, 1,664; at Plymouth, 1,639; and at Pembroke, 600. These, with 80 at the Royal William-yard, and 80 at the Royal Clarence-yard, made a total of 6,797 men. A Committee had also been appointed, of which his gallant Friend (Captain Berkeley) was chairman, to consider as to the best means of preventing desertion, by improving in each ship the pay and condition of a certain number of the petty officers and seamen —and he regretted from his heart that it was not possible to carry out its recommendations. He thought such a system would be most essential to the discipline of the service. He would not there enter into the *vexata questio* of punishment: he thought, however, that a preventive system must be admitted to be best. With regard to the marines, it was proposed to bring in a Bill to limit the period of their enlistment, similar to the provision for the same purpose which was to be made with regard to the

Army. But, while it was intended to give to the marines the full benefit of that principle, there would necessarily be some difference in the manner of effecting the object; because there was in the condition of the marine such a mixture of service ashore, with service afloat. What they desired, was to establish, with respect to the term of enlistment, a substantial equality between the two branches of the service; that is to say, to put the marines, in all respects, on a footing of equality with the army, without absolutely assimilating the term of service. For one moment he would touch on the question of punishment, as he wished to inform the gallant Captain opposite (Captain Harris), with reference to that Admiralty order which he did not approve of, but of which officers of high standing had spoken in most favourable terms, as working very well at the present moment, that it was intended to bring in a Bill giving the Government the power of doing what they could not do now, by establishing a system of secondary punishments, similar to that which had worked so admirably in the Army. It was also proposed to introduce a Bill to legalize the apprenticeship of boys for seven years. There was another subject for which he proposed to provide under two separate votes, a new system of inspection and measurement in the several dockyards. The cost of this would be about 5,000*l.* The House was, perhaps, not aware that the condition of the dockyards was a subject of great magnitude. The vote for wages and salaries at home and abroad had averaged 810,664*l.* during the last four years, and it was a perpetually increasing vote. The vote for 1843-4 was 779,386*l.*; the vote for the year 1846-7 was 951,886*l.*; and when the House considered that the vote for stores (including steam machinery) for the last year was 1,694,152*l.*. and the charge for buildings and new works, 526,810*l.*, so that altogether the dockyards involved an expense of about 3,172,848*l.*, they would at once see that the subject was well worthy of the consideration of Parliament. Now, so far from thinking that any diminution of this vote was probable, he could only see that a further extension of it was inevitable, as the steam factories at Portsmouth, Theyham, and Malta, came into operation. Every Government had recognized the inconvenience and danger in the event of war from leaving all the repairs of our steamers to be made at one factory, and that the least accessible of all our factories—Woolwich. The French had steam factories at Cherbourg, Brest, L'Orient, Indret, Rochfort and Toulon, at each of which the largest steam vessels could be docked and refitted. We had one only—Woolwich. The conviction of this danger pressing upon the minds of hon. Gentlemen opposite, had led to the commencement of those magnificent works to which he had alluded, and which he hoped would soon be completed, at Portsmouth, Theyham, and Malta. But the greater the extension, present and prospective, of the dockyards and their concomitants, the greater was the necessity that vigilance and economy should be exercised in their management; and economy and vigilance could only be attained in a Government establishment by making the people employed there feel, as far as possible, that their private interests were identified with the interests of the public. In dealing with masses of men, they must have broad and intelligible principles to appeal to. Men must be made to feel that promotion was open to all—that merit would meet with fair play—that the conduct of every one would be known and appreciated by his superiors—that if he ran the risk of offending the feelings of his brother workmen, there was some higher authority to which he could appeal, and that his conduct was sure to meet with its proper recompense. He did not hesitate to say that there was no feeling of this kind at present in the dockyards. Promotion there had hitherto been a lottery. It was a thing canvassed for, not earned. Whenever a vacancy occurred, lords, and ladies, and mayors, and Members of Parliament beset the Admiralty with applications to fill it; and the last they looked for was the opinion of the officers of the yard, who ought to be the first consulted. What wonder that the men should think and say that a 10*l.* house was better than any testimonial that their superiors could give them. The printed regulations, indeed, were excellent, so far as paper went. They were full of minute and efficient checks, but they were in reality a dead letter. The practice of the Admiralty had not been such as to put life and vitality into the system, or to inspire the men with a belief that they were impartially dealt with, and that meritorious exertion was certain to be rewarded. He believed that all Boards of Admiralty had been equally culpable. If he wanted any proof of this, it would be found in the fact that no Secretary of the

Admiralty had dared to leave behind him a record of any correspondence on the subject of promotion, or of the principles upon which they were based. Occasionally, no doubt, they hit upon a good man in the course of their appointments; but still the system was a mere lottery. Now he maintained that this system was a completely demoralising system. There were 12,000 artificers, all belonging or hoping to belong to these establishments, whose every hope was concentrated in the dockyard, and who had no view or prospect beyond it. The yard was their world. They expected to rise gradually from shipwright to leading man, from leading man to inspector, from inspector to master shipwright's assistant, and from that to a master shipwright himself, with a house, and a salary of 650*l.* a year. This was a noble field for those men, provided they could make sure that promotion would be administered upon a fair and intelligible principle. But at present there was no such principle—all was a matter of accident or favour. There was no previous report, no examination, no rise from one grade to another—no hope that good conduct would be known or rewarded. There had been a growing conviction in every Board of Admiralty that there was an apathy and inertness in the dockyards which no severity could check, and which they did not know how to get rid of. His noble Friend at the head of the department had felt very acutely on the subject from the first month he had taken office; and he must say so had he himself, because he had opportunities of knowing more of the working of the system than the First Lord of the Admiralty could know. Indeed, it was the belief of the whole of the board, that the root of the evil lay in the dispensation of the patronage which the Admiralty had at its disposal. He hoped therefore that the House would give them the means, at a very moderate expense of working out a better system, as they believed—a system of promotion among the men upon plain and equitable principles, and a system of care and vigilance, and economy in the superintendence, which he believed the public interest imperatively required. He begged the House to consider what was in the power of the petty officers in the dockyards. Every inspector — and there were 108 of them — was responsible for 10,000*l.* worth of stores and other materials which passed through his hands. It was in their power, therefore, either to effect important savings, or to tolerate boundless waste; and he believed if the House treated them with liberality and fairness, these officers would repay them a hundredfold by the savings they would effect in the important article of stores in the dockyards. The system which they proposed to introduce was this: they proposed to continue the present plan of taking in a certain number of apprentices annually, and allowing those whose conduct had been satisfactory to fill the first vacancies upon the establishment, reserving the rest for other candidates. They proposed to introduce an educational test in respect to all apprentices, as a preparation for the advantages provided, in the dockyard schools for the more intelligent of the boys admitted to them. The present schools had worked very well; but it appeared from the recent visit of Professor Moseley that they were susceptible of considerable improvement, and it was intended to improve them accordingly. They meant to require a school certificate of the good conduct of the boys before they were admitted into the yards. All promising boys who should show a talent for drawing in the mould-loft would be fixed there ultimately as draughtsmen, with the condition that out of each three vacant inspectorships one should be given in future to the head draughtsman, provided his testimonials were satisfactory, and that he had worked one year at his tools at the ship's side. This would insure a regular course of promotion in the mould-loft, and produce a succession of well-instructed inspectors. But let men enter the yard as they might, it was the intention of the board that once there the work of promotion must be left to themselves alone. As a first step, they meant to introduce a system of weekly and monthly returns, making each leading man report to his inspector on the conduct of the men composing his gang—which would consist of twelve men with a proportionate number of apprentices; the inspector would report to the foreman, and the foreman would in like manner transmit the inspector's report to the master shipwright—with his own remarks and those of the foreman attached to it; and those reports would be transmitted quarterly to the Board of Admiralty, who would require the production of the whole returns whenever a man's name was submitted for promotion. Whenever a vacancy occurred, the master shipwright, with his assistant, would lay before the superintendent the three names which they recommended for promotion. The superintendent would direct the candidates to be publicly examined in those matters which were essential to the proper performance of the duties, and having reduced the list of candidates to two by omitting the one whom he should think least qualified, one of the two names thus sent up would be appointed by board order to fill the vacancy. They proposed to raise the salaries of all the inspectors, which were now only 100*l.*, to 125*l.* per annum; and on the 1st of April next a first class of inspectors would be formed with a salary of 150*l.*, which was to be composed of one-fourth of the inspectors in each yard. selected after a year's probation of their qualifications as officers. There were various other regulations of a similar kind; but he would not detain the House with detailing them. He would only say that all the new regulations had been submitted to the dockyard authorities, and that he had received from every one of them the assurance that they believed they would work well. He hoped, then, the House would allow them to try the experiment, for which they asked only 5,000*l.* He would now proceed to allude to a few of the principal items in the estimates. Under Vote No. 1, which provided for wages of seamen and marines, there was an increase of 31,100*l.*, which included the vote for 1,500 marines, and for the reorganization of the steam engineers. On Vote No. 2, for victuals to seamen and marines, there was a reduction of 4,220*l.* He might naturally be asked by hon. Gentlemen opposite how this happened in a year of universal high prices, and upon what basis they had made this calculation? The fact was, that they had taken the highest prices during the present year as their basis, and hoping that, after the next harvest, the prices would fall to their natural level, they had ventured to dispense with the five per cent for contingencies, which amounted to 30,000*l.* Under No. 3 would be found an increase of 7,340*l.* That sum covered a new system of management in the steam and packet departments, which was rendered necessary by the great increase of our steam navy. The vote required for the steam and packet department in the present estimates exhibited an increase of 1,640*l.* upon the estimates of last year. Another cause of the increase was the augmentation of the salaries of clerks in the Admiralty Office according to the time of service, and of the salary of the director of the works, in pursuance of an engagement entered into by the late Board of Admiralty. When it was recollected that this gentleman had the entire superintendence of the works connected with the steam navy, which last year involved an expenditure of 559,600*l.*, it could not be thought that the salary which he received was larger than was due to a person holding an office of such great trust and responsibility. Having mentioned the most important items of increase in this vote, he felt it to be unnecessary to trouble the Committee with any detail respecting the minor items. Passing over the fourth and fifth Votes, he came to the sixth, on which there was an increase of 7,291*l.*, as compared with the estimate of last year. This increase was caused almost entirely by changes introduced—wisely and necessarily—by the predecessors of the present Board of Admiralty. The changes which he referred to, consisted in the appointment of engineers to all the naval yards. Mr. Murray, the engineer at Portsmouth, with a salary of 650*l.*; Mr. Laurie, at Chatham, 500*l.*; Mr. Miller, Devonport, 400*l.*; Mr. Rigby, Woolwich, 200*l.*; and Mr. Chatfield, just named, acting assistant to the master shipwright there—were all included under this vote; as was Mr. Grant, the storekeeper at the Royal Clarence-yard, who had surrendered to the public a valuable patent for fuel. It was deemed unadvisable that a public servant should have the benefit of his own patent in the supply of a public department, and therefore he would receive 300*l.* a year additional salary as an indemnification for surrendering his interest in the patent, until the Government had an opportunity of promoting him to a higher office. A better bargain than that had seldom been made for the public. Part of the increase on this vote, however, to the extent of 2,785*l.*, was occasioned by the adoption of the new system of inspection and measurement in the dockyards, from which much advantage was anticipated. Vote 7 called for no observation, and therefore he would proceed to Vote 8, in which there was an increase of 58,877*l.* One of the items of increase was 2,214*l.*, for the new system of inspection and measurement to which he had already alluded; another was 20,000*l.* for training and exercising the dockyard artificers. A considerable increase had also taken place in the vote required for the steam factory at Woolwich, where it had been found absolutely necessary to have a Government establishment for the repair of steam-vessels, instead of having the work done in private yards. The result of this alteration would be a considerable saving to the public: 735 workmen were now employed in the factory at Woolwich, and last year nearly the whole of the steam repairs—with the exception of those required by the Liverpool packets—were executed at Woolwich. The horse-power in commission last year amounted to 25,424. The hon. Gentleman then read the following account of the works and repairs performed at the factory at Woolwich, during the years 1844, 1845, and 1846, showing the number of steam-vessels repaired, &c., and fitted with new boilers, and their aggregate horse-power; the expenditure on repairs of steam-vessels; and the total estimated value of the works performed at the establishment:—

Financial Year.	Steam-vessels.				Total value of the works and repairs performed at the factory during the year.	Wages expended at the factory.
	Repaired or had new fittings	Received new boilers.		Total cost for steam-vessels.		
		No. of Vessels.	Aggregate horse-power.			
				£	£	£
1844-5	27	7	1,064	26,805	49,316	29,680
1845-6	36	6	836	36,432	58,330	34,998
1846-7, 9 months	29	8	1,262	25,324	76,660	40,700*
Boilers ready for fixing.	—	8	1,330	—	—	735 workmen.
Boilers in course of completion.	—	15	3,260	—	—	—

The average price of marine steam engines was 50*l.* per horse-power, and the cost of repair was 8*l.* per year in private factories, and 6*l.* at Woolwich. Now, the total horse-power for the financial year 1847-8 was estimated at 41,025, and the cost of maintaining that in efficient working order would be 328,000*l.* in private establishments, and only 246,000*l.* at the Woolwich factory, making a saving of 25 per cent, or 82,000*l.* a year. It was only necessary to add, that the workmen at the factory would only be employed in making machinery when not engaged in repairs. Vote 9 called for no particular remark, though it exhibited a decrease of 1,450*l.* Under Vote 10 there was a general decrease of 79,928*l.*, although an increase had taken place in the expenditure on account of stores to the amount of 58,373*l.* The decrease fell almost entirely under the heads of "Purchase and repair of steam machinery," and "Building iron steamers." The decrease under the former head was 100,000*l.*, and under the latter 41,825*l.* The sum required in the present vote for building iron steamers was 78,177*l.*, and this was entirely absorbed by the liabilities of the preceding year. It was not desirable to enter into any discussion at that moment with respect to the question which the hon. and gallant Admiral opposite had raised that night, relative to the buiding of large iron steamers. He would merely express a hope that the hon. and gallant Member's experiment might ultimately prove successful. In Vote 11 there was an increase of 32,790*l.* for new works. It might be necessary to explain that it had for many years been the practice to take large sums for new works under Votes 8, 9, and 10, which were strictly votes for wages and stores. This practice occasioned some confusion, and therefore it had been determined that henceforth all new works should be charged under Vote 11. Perhaps he might be pardoned for addressing a few words to the Committee on the subject of these works on which so much had been expended. The first object which the Admiralty had in view was to reduce the number of works by completing those now in hand as soon as possible. The sum required for new works at Portsmouth was therefore raised to 167,538*l.* It was satisfactory to know that the steam-basin was nearly complete, and the works were carried on with so much activity, that it was believed they would be completed, if not by the end of the next financial year, certainly by May or June following. The sum of 10,000*l.* was required to complete the marine barracks at Woolwich. Those works furnished a striking example of the loss which resulted from being dilatory in the execution of public works. If the marine barracks at Woolwich had been completed two years since, the sum of

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* Present rate of expenditure, £46,000.

15,000*l.*, which must now be expended on the enhanced price of labour and materials, would have been saved to the country. The sum required for the works at Plymouth was 170,230*l.*; and he was sorry to say that three years must elapse before they could be completed, in spite of the extraordinary efforts which were made by the contractor, Mr. Baker, who displayed the utmost vigour and enterprise in all his proceedings; 30,000*l.* out of the gross sum of 170,230*l.* for Plymouth would be expended in enlarging the basin and constructing entrances to the docks; 10,000*l.* were required for an establishment at Hawlbowline for repairing steamers and steam machinery. It was calculated that the work there would be completed in three years. A sum was also taken in the Vote for the works at Malta. The docks there were almost ready for the reception of the largest vessels. We had long wanted a good naval station in the Mediterranean, and he was happy to say that the want would soon be supplied. He had now completed his task. It would be apparent that the expenditure demanded for the naval service was large, but it was inevitable; in fact, the country was now called upon to pay for the niggardliness of former years. Until the works now in hand were completed, he could give little hope of any reduction in the estimates. He had gone through the various items carefully, and all that he could venture to assure the House was, that the present Board of Admiralty were determined to exercise as strict an economy as they could, in every branch of the service, consistently with the maintenance of the national honour. The hon. Gentleman concluded with moving the first Vote.

On its being moved that 185,286*l.*, for the arrears over and above the grants of last year be granted to Her Majesty,

ADMIRAL BOWLES approved of the statement of the hon. Gentleman. The hon. Gentleman had alluded to the exercise of Government influence in the boroughs where there were dockyards and naval establishments; and it was his desire to see a Bill brought in for placing the persons employed in dockyards on the same footing as those in the coast guard, who were disfranchised. He would, at the same time impress on the Government the necessity of forming a squadron of exercise. In the last thirty years they had only had five; the race of officers who had seen war was nearly extinct, and it was absolutely necessary to let those who might hereafter have to assert the honour of the nation in war, have the opportunity of gaining experience in their profession. They ought next year to have a squadron at least as strong as that of 1845 and 1846. Much injury had been done to the service by the system of dispersing their naval force, in single ships, at different ports and stations, where they remained sometimes for two or even three years without moving. He knew consuls were often very anxious to have an English ship in their ports, and sometimes they might overrate a danger in order to get one sent. The length of time the ships often remained at one place was an evil. In one case a frigate had been eighteen months at Beyrout; in another, a ship of war remained in the Tagus for three years. He would subject our ships to a rotation that would, in turn, give every ship an opportunity of evolution and instruction.

CAPTAIN PECHELL said, if he congratulated the hon. Secretary (Mr. Ward) on the extensive improvements he had proposed, which were in continuance of those great reforms which had been effected by the right hon. Baronet the Member for Dorchester, whilst he presided over our naval affairs, how must he (Captain Pechell) value the sentiments of the gallant Admiral who had just sat down (Admiral Bowles), in freely acknowledging the political jobbing which was suffered to exist in the naval yards during the time he was so efficient a member of the late Administration? The hon. Secretary had given many reasons for the increase of the estimates; but they were not required by any one who had access to those public sources of information. The hon. Secretary, in the detail of the number of ships employed, had omitted all mention of the cruisers employed on the coast of Africa. Three years was too long a period to be engaged on that station, so fatal to the crews of our vessels, who in addition to the sufferings of the climate and the service, were through the gross abuses in the several Vice Admiralty Courts, deprived of large portions of the rewards which Parliament had granted for their encouragement. He had heard nothing from the hon. Gentleman (Mr. Ward) about the paymasters and pursers and masters of the Navy; but he trusted that before the next estimates were brought forward, the recommendations of the Naval Commission with respect to that first-mentioned class of officers would be acted upon. It was not calling on the public for one sixpence, as there was a balance of several thousand pounds in the Exchequer applicable to that purpose, from the fund accruing from the sea pay emoluments which they had voluntarily resigned for increase of retirement and half pay; and therefore, he could not understand why the number of officers in the retired list was not kept up. The masters, too, complained of the inferior position they held in Her Majesty's service. Their memorial was before the House; and though they had also memorialised the Board of Admiralty, it was of no use to memoralise unless an agitation at the same time was got up in that House. He was quite willing at the proper period to prove his case in favour of the masters and pursers; and he hoped, therefore, that Her Majesty's Government would not lose sight of the subject. With regard to the manning of the Navy, he thought the plan in respect to the steamers would give satisfaction, and that ships on being paid off should not be dismantled in the usual manner, a proceeding which had caused so much disgust in the Navy. He was, however, sorry to say, that in manning the Navy, Government had departed from a wholesome rule with respect to boys. The old regulations as to the requirements of clothing and good character were very good. The indiscriminate enlistment of boys had done mischief, and had lowered the character of that particular branch of the service. He also wished to ask the right hon. Secretary what was the cause of the delay in putting into the water the vessels built by that eminent shipwright, Mr. White? He referred to the *Termagant*, a vessel which was lying on the slips, while the *Sidon*—having, perhaps, better interest—was taking a cruise round the Isle of Wight. The *Termagant* had been laid down at a much earlier period. It was satisfactory to him to observe that the present board had kept up competition. If Sir William Seppings had had his way, probably he would have excluded Sir W. Symonds; and Sir W. Symonds would have probably excluded that talented builder, Mr. White. He had hoped that some improvements would have been proposed in the mode of holding courts-martial, by revising the entire system. He had reason to think that the proceedings which had taken place at Bermuda would not again occur. In the case of the *Daphne*, an officer was brought to trial when it was considered the whole affair had been passed over. All parties were reconciled, the officer was doing his duty, dining with his prosecutor, and everything going on fairly; yet a twelvemonth afterwards he was brought to trial, with only two days' notice. There was also the circumstance of a vessel lost recently; and such was the peculiar law, that the officer in command was obliged to give evidence against himself. As we had got a Reform Administration, he thought we must now have an alteration in the mode of taking courts-martial. If no change was to take place, why was the gallant Admiral opposite displaced? Why was there any change at all when a new Administration came in, unless it was for the purpose of revising what the previous board had done, and to set right that which was wrong? He had been much pleased with the proceedings of the Board of Admiralty in their departments; and this circumstance would induce him to pass over many sins which otherwise he should have taken notice of. He would now advert to those officers and men indirectly connected with the Navy; he meant those employed in the service of the coast guard in Ireland, who, owing to the supposed difference in the price of provisions, were paid a less amount than those employed in England; they were now suffering great hardships in consequence, and great distress existed among them. They had made application to the Customs; and as it was the Admiralty who named and recommended the men for the service of the coast guard, it was the duty of the Admiralty to see these men were not starving on pay inferior to that of the same class in this country. The peculiar situation of matters in Ireland caused these parties great inconvenience and suffering. The Committee on Shipwrecks recommended promotion to those gallant men who had saved life and property to a great extent; but this recommendation had not been attended to. Had these men shot a number of smugglers, they would have obtained promotion; but if they saved the lives of shiploads of persons, they would obtain nothing but the thanks of those who considered protection to the revenue as paramount to protection of life and property. He pressed on the Secretary of the Admiralty the fact that the magistrates of Kent and Sussex had borne testimony to the gallantry of these men, who had saved many lives during the late gales; and it was but just and right that their services should not be overlooked.

Dr. BOWRING could not help looking at the estimates in connexion with the admirable report laid on the Table last year; but though he approved of them, one principle had been overlooked, which he had always insisted upon, namely, that of keeping the receipts and expenditure entirely separate. In the present estimates, though drawn up with great ability, that principle had been confounded. In the accounts there were many great improvements. The grants used to be generally prospective; but now the estimates represented facts; and he hoped the Lords of the Treasury would take care that the same system was adopted in every other department. He, however, contended that this principle ought to be kept in mind, that accounts should be kept clear and distinct. He believed it was a matter of primary and paramount necessity; and it was from the want of this principle that enormous amounts appeared, of which no distinct account could be taken. He acknowledged that the present estimates were lucid, and depended more on positive data than anticipation; but he did hope the observations and suggestions he had made would not be overlooked.

Mr. FITZROY said, as there could be no reduction in the estimates, it was quite hopeless to expect that any reduction in the number of men could be made. With respect to the reserves, he should wish to have additional attention paid to that subject. There was also another important point to be looked to — the coaling of steamers. It was necessary to have some new regulations respecting this branch of the service. He mentioned these points because he considered it was necessary that the attention of the Admiralty should be called to them, with a view to alter that which was at present defective. With reference to the dockyards, he begged to say, as soon as he had a seat at the Board of Admiralty, his attention had been attracted to the abuses to which the hon. Member had referred.

Captain BERKELEY stated, with regard to the increase of men above the number voted, that this had arisen chiefly from what had taken place in China, New Zealand, and the Plata. In many instances relief ships were sent out there, which had been retained on the stations; and the result was, that many ships were now lying at home manned by marines. With respect to the coaling of steamers, measures were being taken to carry out a plan under the superintendence of Lord George Hay, by which steamers would be coaled in harbour from old hulks in a much more expeditious manner than heretofore.

Mr. WARD had consulted the noble Lord (Lord George Hay) upon the subject of the plan, and had ascertained that the construction of a coal depôt would cost not less than from 20,000*l*. to 30,000*l*.

Sir J. GRAHAM was extremely unwilling to retard the progress of the estimates. He was greatly indebted to the hon. and gallant Officer the Member for Brighton (Captain Pechell) for recollecting the share which, in former times, he had borne in the naval administration. He must confess that the great object he had then in view was to diminish, as far as possible, the naval estimates; and, concurrently with that, to diminish, as little as passible, the efficiency of the service. That was the chief aim of his administration; and that administration had, fortunately, been under the control of a First Lord well versed in naval affairs, and of a noble and lamented friend, who had constantly enforced on him the strict necessity of rigid economy. He could say, in perfect truth, he had watched with regret the progressive increase in the naval estimates; and he had heard with alarm the statement that evening of the Secretary to the Admiralty, that, notwithstanding this progressive increase, he (Mr. Ward) was of opinion the increase of the present year, and the estimate as it now stood, were not so large as, with regard to the interests of the country, he thought, in other circumstances, it should be. He should not have risen to express this regret if it had not been for one topic touched upon by the Secretary to the Admiralty. It was one of extreme delicacy—so delicate, that, if he were not free from official restraint, he should not in that House venture to allude to it. He referred to that topic which had been brought prominently under their notice, namely, the pay of the men in the naval service. The hon. Gentleman had laid down a principle on that point which appeared to him (Sir J. Graham) to be unsound. If he had understood the hon. Gentleman rightly, he expressed an opinion that it was absolutely necessary, if not to raise the pay in the Queen's service, at least to level it with the pay in the merchant service. Now, that was a doctrine from which he (Sir J. Graham) must express his dissent. If once the Queen's service was made to compete with regard to wages with the merchant service, every increase on official authority in the Queen's service would be met, of necessity, by a corresponding increase in the merchant service. If they once entered on a competition of that kind, he saw no end to the expenses which would be entailed. It was a most delicate matter to discuss; but he thought no hope should be held out to persons now serving in the Royal Navy that any increase of pay was to be, or ought to be, expected, on any such principle. If any great increase of pay were required, he did not consider that the present financial difficulties should be held as a bar to such increase. He dissented from the justice of denying or postponing an increase of pay if it was due, and they were called upon to grant it, because of a financial difficulty. He warned the House, that if they entered on the question of pay to seamen, they must also consider the pay of the marines, the army, and of those engaged in the military affairs of this country. If they commenced an increase of pay to the Navy, with reference to the competition of the merchant service, upon the same principle they must, of necessity, increase the pay of all military officers; they must enter into a circle of boundless expenditure on the one hand, and of boundless expectation on the other, which he, free from official restraint, did most strongly deprecate. He might have misunderstood the hon. Gentleman; and it was a question of such immense importance, that, without the direct sanction of the First Lord of the Treasury and the Chancellor of the Exchequer—of the Government acting on its responsibility—it could not be properly admitted for discussion. He was sure that the hon. Gentleman would be glad of the opportunity which was given of offering some explanation of his words. A more dangerous impression than that which had been produced by what had fallen from the hon. Gentleman could not go forth.

Mr. WARD believed the right hon. Baronet seldom misapprehended anything which passed, or was said, in that House; but he had now most certainly misunderstood the purport of his remarks. The hon. Member for Montrose (Mr. Hume) had enlarged upon the question of pay in the Queen's service, and some reply was demanded. He (Mr. Ward) had not forgotten the difference between the two services; he was aware of the delicacy of the subject, and cognizant of the necessity of not touching upon it without having obtained the general assent of the Ministers of the Crown. The only observation he had made had reference to the proposition of the Committee, of which his hon. and gallant Friend (Captain Berkeley) had been the head, that, to prevent desertion, they should increase the pay in the Navy, not generally, but to petty officers and to seamen, to be selected from the general body, after long service. It had been hoped, that by adopting such a plan, a better moral feeling, and a higher tone of self-respect, would be created among the seamen, and that a progressive increase in pay would have the effect of encouraging and attaching to the service. He had mentioned only the petty officers as those who would be effected by such a change. [Sir J. Graham: Petty officers and seamen.] He meant seamen after long service. He was obliged to the right hon. Gentleman for the opportunity of explanation.

Sir C. NAPIER was very sorry indeed to hear that explanation. He had always been of opinion that the seamen in the British Navy were badly paid; and even if, by increasing the pay in the Navy, they compelled the merchant service to increase their pay, they would do a great deal of good, and bring back those 50,000 seamen who now navigated the American merchant service. The Army was a very different service from the Navy; and it did not follow, that because they increased the pay in the one, they must increase it in the other. The labourer should be paid according to his hire; and, if they wanted to keep their seamen in this country, they could only do so by paying them adequately.

Mr. S. HERBERT was glad that an explanation had been given by the hon. Gentleman opposite (Mr. Ward) of the statement made by him in his speech; for nothing could be more dangerous than to announce measures which had the effect of exciting hopes that were not likely to be realized by the men employed in the service. He did not believe, however, that the wages in the Royal Navy were lower than those in the merchant service; for if they considered the pensions received after service, the cheap price at which slops were sold, and various other things which were in their favour, it would be found that, after a certain period, the seamen in the Queen's ships received as much as any in the merchant service. He thought it was not a prudent thing to diminish now, for the first time, the amount taken for the victualling of the Navy. It had been usual to take a margin of 5 per cent on the victualling of the Navy; and he thought it a right course to follow, for the vote, however large, was always sure to be exceeded. He thought they could not have selected a year more unfortunate for a diminution, as there was a certainty of high provisions; and he was apprehensive that in such circumstances the Admiralty might be led into financial difficulties. As regarded the subject of recommendations, he thought care should be taken not to fix a low standard of responsibility. His experience had led him to look with great doubt on dockyard recommendations, as he had reason to believe they were often given from political considerations.

Mr. M. GORE was much gratified at the statement of the hon. Secretary for the Admiralty, and hoped that whatever party was in power they would never forget what was essential to the interest of the Navy and the defences of the country.

Mr. F. BARING trusted that the time would never come when any Government would neglect the efficiency of the Navy, or any House of Commons would refuse the money necessary to maintain that efficiency. At the same time, he looked with anxiety at the manner in which the expenditure for the naval, as well as every other public service, was gradually increasing; and if the House had not shown itself extremely willing, not merely to sanction the estimates, but to press on the Government increased expenditure in every quarter, there would probably not have been such large sums to vote, and the real efficiency of the services might not have been less. The tone in which his hon. Friend (Mr. Ward) had spoken, had not given him much confidence on this point, for his hon. Friend had spoken of niggardly economy—words which were common enough when he (Mr. Baring) first came into Parliament. There was one point with respect to which, in particular, the House of Commons might properly inquire, viz., whether that which had been granted liberally, had been spent honestly. He admitted that the Government acted judiciously in attending to the progress of steam power in the naval service; but an impression was abroad that the large sums voted by the House had not been spent properly; and he believed that some inquiry on the point might be better carried on by Government authority than any other. He thanked his hon. Friend for his endeavour to correct the system prevailing in the dockyards, and he should rejoice to find his hon. Friend able to carry out his plan in respect to the promotion of merit in the public service; but at the same time he must join in the caution given by the right hon. Gentleman (Mr. S. Herbert), and express a hope that his hon. Friend might be able to check any course of jobbing. The present vote was for former arrears, the excess of expenditure over the estimate being 185,000*l.* He thought that some explanation should be given of this vote, and that Parliament ought not to be lax in attending to these estimates, because it might be found that not only was there an excess of expenditure over the votes in the present year, but also in the last, and probably for two years; and the excess upon every vote, taking the effective service, and throwing aside the non-effective service, and the service for the different departments, would be found to be not 185,000*l.*, but 230,000*l.* This might happen from necessity, but it required explanation, and was not to be passed over as a matter of course; and if done for two years, created a most inconvenient and unconstitutional precedent.

Mr. GOULBURN said, that the right hon. Gentleman had observed naturally enough on the excess of expenditure, amounting to 185,000*l.* That excess arose from the report of a commission appointed by the Government to inquire into the defences of the harbours of this country, and the adoption of measures at the close of the Session of Parliament, for expediting certain defences which, under the circumstances of the time, were thought expedient. The excess appeared to be on all the heads of the different estimates; but that was the natural consequence of such works, for they comprised iron steamers and a considerable addition to the consumption of timber, copper, &c. It was very difficult to explain to the Committee, in all particulars, the grounds of the necessity for this outlay; but it was founded on the report of officers most competent to form a judgment on the subject.

Lord J. RUSSELL thought that the explanation given of the grounds of the increased expenditure ought to be satisfactory. In reference to what had fallen from the right hon. Gentleman opposite, and his right hon. Friend behind him, as to the expenditure for the Navy, he might say, that it was his opinion, which he had stated to Lord Auckland and the heads of the different departments, that whenever expenditure was voted by the House of Commons, the greatest pains should be displayed in endeavouring to have the money so voted, expended so as to ensure the greatest possible efficiency in the service. He did not think that a larger sum was appropriated to these services than ought to be voted for them; but, from the various notions which might be entertained by different individuals, as to the way in which those services should be conducted, there was undoubtedly sometimes a waste of money when the service might be more economically performed. He did not think, however, with regard to the amount of the estimates, either for the past year or for the present, that the House of Commons could expect that there should be any great saving with reference to the Navy. He entertained a strong opinion that the Executive Government was entitled to require that a sufficient sum should be voted for this branch of the public service, to ensure the safety of the country if any exigency should arise. Considering the great improvements which had of late been effected in naval science, and the introduction of steam power, he did not think that, because they had a powerful Navy in former years, and had obtained great and celebrated victories, they ought to deem that they were invincible, and to rest satisfied that they were at all times safe. As the head of the Executive Government, he (Lord J. Russell) felt that, whatever disposition there might be to economize, and however the Government might be subjected to the imputation of wasteful expenditure, it was their duty to secure the safety of this country, remembering that the dearest of all their interests depended upon that safety. For his own part, he (Lord J. Russell) should not be disposed to shrink from making any demand upon the public purse which he thought fair and reasonable for this purpose. An hon. Friend of his had referred to the importance of preventing that jobbing in the dockyards which had been continued by successive Governments, and which, by the right of voting given under the Reform Act, had not been checked, but had rather been increased. He (Lord J. Russell) was glad to state that the Admiralty had measures in contemplation to put a stop to these abuses. Those plans would be tried, and if they were not effectual it would be necessary to come to that House for still more extreme measures. He thought that in every point of view, this was an important subject; it was important, not only on the ground of preventing political corruption, but really as a matter of public economy. An officer who left this country last year, and who had been much engaged in the dockyard service, represented that the labour performed by the dockyard men, where they possessed a right of voting, was very inefficient as compared with the labour performed for private individuals by persons who had no such privilege. He believed there was a great loss of public money in consequence of the political influence possessed by parties in these situations, and that it was most desirable, in every point of view, that the Government should attempt by all the means in their power to check the present system. He was far from saying that he thought the check proposed by his hon. Friend would be successful; but any suggestion which might be made on the subject by hon. Gentlemen opposite would receive prompt attention from his Colleagues and himself.

Mr. SIDNEY HERBERT believed he could show, by a return of the appointments made during the time his right hon. Friend behind him held office, that the greater number of those appointments were not in favour of persons who entertained the particular opinions which were held by himself and his hon. Friends. This, however, would not prove the non-existence of the evil to which the noble Lord had referred. What he (Mr. S. Herbert) complained of was this—that the Secretary to the Admiralty, or whoever might discharge such duties, could not make appointments without attending to recommendations which, if acted upon, proved very detrimental to the public service. He did not wish to be understood as stating that the appointments of the Government which succeeded that of which he was a Member, must necessarily be corrupt. He must say, however, that every Secretary to the Admiralty who attempted to exercise his patronage honestly, must do so with great trouble, and with the risk of encountering great abuse.

Vote agreed to, as were several other votes.

House resumed. Committee to sit again.

House adjourned at half-past Twelve o'clock.

HOUSE OF LORDS,

Monday, March 1, 1847.

Minutes.] Public Bills.—1ª Bankruptcy and Insolvency; Custody of Offenders; Prisons.

2ª Labouring Poor (Ireland).

Petitions Presented. From Guardians of the Beaminster Union, for the Repeal of the present Law of Settlement, and for a National Rate for the Relief of the Poor.

THE HARBOURS OF PORTPATRICK AND DONAGHADEE.

The Marquess of LONDONDERRY said, that he wished to put a question on this subject to the noble Earl at the head of the Admiralty. It would be in their Lordships' recollection that on former occasions he had made various inquiries relative to the intentions of the Government with respect to perfecting the harbours of Portpatrick and Donaghadee. The efforts which he had hitherto made had been unsuccessful; but still he was persuaded that a good cause must ultimately prevail. The point which was in dispute on this subject ought to be put at rest in some way or other. The controversy had already lasted too long, and the reports which had been made were so numerous, that the Government ought to determine whether it was prudent and right to continue this packet station in a defective state, or to abandon it altogether, and to name some other quarter to accomplish the object which it had in view. He found that there had been no less than thirteen different reports on this subject. Out of these—and they were made by most able men—seven were entirely in favour of the passage between Portpatrick and Donaghadee; four were against it; and the other three were neutral. These reports all came from the most efficient officers. Now nothing whatever had been done. The station on which driblets had been expended, remained in a very defective state. Sums had merely been given to clear out the sand in the harbour, and the vessels employed were quite inedequate to the station. The harbour of Portpatrick remained unsafe, and vessels were obliged to remain off the harbour if the tide did not permit them to come in. The sum of 300,000*l.* had been expended on this harbour; and the question was whether the Government would supply 30,000*l.* more, and put good steamers on the station, or whether they would leave the harbour in its present state? If the Government would make the proposed improvements, employment would be given to a great number of persons in that part of Ireland. This passage was the best and the shortest that could be made from land to land. Seven or nine out of the thirteen reports stated that the wind, the tides, and the currents all combined to make it the most desirable station. It was quite clear if the railroad was continued from Carlisle to Dumfries, and from Dumfries to Portpatrick, that letters and the mail could be delivered by that line in Dublin in a much shorter time than by Holyhead. He would wish the noble Earl particularly to regard this point. If it were determined to take the passage to some other station, that could not be done without a large expenditure. But if that were to be done, what arrangement in the interval was to be made? He only wished for 30,000*l.*, which, according to Sir John Rennie's report, would put the harbour in a complete state of efficiency. He should move that Sir John Rennie's report be placed on the Table. He wanted to know on what grounds the Government refused to make this harbour efficient. If they asked the captains who made this passage, they would all say that it was the best that could be made. There were reports ranging from the year 1809 to 1843 on this subject, and therefore the Government could not say that it wanted information. Captain Evans had made a report for the purpose of some railway, and it appeared that his report was to paralyse and overturn all the former reports that had been made.

The Earl of AUCKLAND was afraid the answer he had to give would hardly be satisfactory to the noble Marquess, though he agreed very much in what had fallen from him. It was certainly true that the harbour of Portpatrick was in a most unsatisfactory state, and the packets employed were also of an inconvenient construction. At the same time, it was impossible to introduce better packets into the harbour as it now stood; and the first question that presented itself was as to the propriety of laying out a very large sum of money on its improvement. Bad as the harbour was, and poor as the vessels employed also appeared to be, yet for very many years the service had been regularly performed. Having made inquiry into the point, he was informed that it would be necessary to expend a sum of 50,000*l.* on the harbour. The question had been already under the consideration of the Post Office, and surveyors had been employed to inquire what harbours of the western coast of Scotland might be thought best fitted for the communication with Ireland, and the conveyance of correspondence. He learned that, only within the last two or three days, a report had been made to the Post Office, and through the Post Office to the

Treasury. That report was not favourable to the maintenance of correspondence by the line between Donaghadee and Portpatrick. He (the Earl of Auckland) had been informed also that this report was likely to be submitted to him officially in a few days; and he could only promise that when it was so he would give it his best consideration, as he should also to the arguments and facts the noble Marquess had adduced. But he must beg the noble Marquess also to bear in mind, that though the Admiralty might be the executive office superintending works of this description, yet, with respect to the subjects of expenditure and public convenience, they must come mainly under the consideration of other departments. He had no objection to the report of which he spoke being laid on the Table of the House.

The Marquess of LONDONDERRY expressed his satisfaction at the statement of the noble Earl.

THE LABOURING POOR (IRELAND) BILL.

On Motion that this Bill be now read 2^a,

Lord BROUGHAM said, he had no objection to granting an indemnity to the Lord Lieutenant of Ireland for exceeding the powers of the law; but, on constitutional principles, he thought that in any case where such an indemnity was sought for, those in whose favour it was required should show, first, that it had been absolutely necessary to break the law; and, secondly, that it had been broken for the shortest possible time. He thought an unnecessary delay had been made in the latter respect, and that Parliament should have been summoned at an earlier period.

Lord MONTEAGLE most entirely and most cordially approved of the responsibility assumed by the Irish Government, for which they now sought an indemnity. Mr. Labouchere and the Lord Lieutenant deserved every praise for their conduct, for an interposition more called for by the circumstances of the case had certainly never occurred. With respect to the Bill immediately before the House, he thought there were some points worthy of notice in its modes of operation. The principle of calculating works by voluntary agreement between the landlords and tenantry was of a most important character; and he thought they should promote that principle, instead of leaving it to the award of a third party, as was proposed in the Bill. He prayed their Lordships to recognize agreements of that character by the express terms of the Act; and he proposed, therefore, to give them validity, where they had been actually made *bonâ fide*, by means of an Amendment in the Bill. Indeed, he would be almost disposed, not only to induce, but to compel parties in Ireland to adopt that principle; and it would be found that the works would be well executed in every case where it was carried out. Another point to which he wished to call the attention of the House, was, as he apprehended, of considerable importance. Their Lordships were aware that baronies in Ireland were divided into electoral divisions. Under Mr. Labouchere's letter, any electoral division could lay out, in reproductive works, the whole of the money assessed on it for the relief of the poor by public works, and by doing so, stood entirely discharged from any contribution to the rates of any other electoral division. In the present Bill, however, there was a power reserved to the Board of Works in Ireland to alter that arrangement; and in cases where any electoral division had assumed the whole of the charge upon it, and expended it in reproductive works, the board was enabled to put upon it, in addition to that sum, the proportion of the whole baronial charge to which it would be liable if it had not done so, and to which it had not made itself subject. That was an evil which ought to be corrected; and he thought a clause should be introduced in Committee to protect the Irish landlords from the injustice he had described.

Lord BROUGHAM objected to the second section—the Indemnity Clause—of the Act. It went far beyond Mr. Labouchere's letter, and was so general in its terms as to indemnify the most illegal and most fraudulent acts ostensibly committed by any person under that letter. The words of the section would indemnify any person who had illegally taken away a man's property under the authority of a presentment sessions. It would be much better to amend this wide limit of indemnity.

The Marquess of WESTMEATH had not observed the danger which the acuteness of his noble Friend had discovered in the Bill. As he was one of those who had taken on themselves the whole charges in their respective electoral divisions, he should be liable to the injustice complained of; and he, therefore, hoped the Government would see if the objections were well founded, and take some steps to protect him in case his noble Friend were correct in his views.

The EARL of ELLENBOROUGH very willingly acquiesced in the measure before the House; but he could not think the conduct of Government deserved the very high encomiums bestowed on it by the noble Lord opposite (Lord Monteagle). The highest praise was to foresee and provide against a difficulty; next to that was the praise of successfully meeting it when it had arrived, and of taking every step to redeem their original omission. To the first the Government certainly had no claims, however they might be entitled to the second; for all that was done by Mr. Labouchere's letter on the 28th of October, might have been done by Parliament on the 26th of August, six weeks earlier. He wished to look to the future as well as to the past, and he entertained very deep anxiety on one point, which it would be most satisfactory to him if Her Majesty's Government would explain. It was intended, he believed, to close the relief works as soon as possible, and, relying on the means afforded by the Destitute Persons (Ireland) Bill, and upon public and private works, which were spoken of as being, or likely to be, in operation, to put an end to every work of that description within six weeks from the 10th of February. Now, the people hitherto employed on these works could earn money by their daily labour, and might purchase seed for their land if they chose to do so. There were at least 564,000 persons in Ireland who employed no labourers, but tilled their land by their own exertions. The whole of this class depended altogether, or to a very great extent, on the potato—money they had none. As long as the relief works continued, they could earn money wages; but so soon as they were stopped, they were left without any means of obtaining money wherewith to purchase seed for their land. They must receive food, but they were to give nothing in exchange for it. They would then be enabled to do that, which Government so properly desired they should do—cultivate their lands. But of what possible use or benefit would the tillage of their farms be, if they had no seed to put in them? He wished therefore to ask the Government what means there were of providing the people with grain, and what sources there were for enabling them to sow their land with wheat for the ensuing year?

EARL FITZWILLIAM thought the question asked by the noble Lord, was one of the very greatest importance. There would be no doubt great difficulties in what geologists would call "the transition state" of the people from public works to any condition of permanent employment; but the question of providing them with seed was one of far greater importance. It would be a most desirable thing if Government should not feel itself under the necessity of embarking in such a dangerous experiment as that of providing a whole people with seed; and if they could leave it, as it ought to be left, to the exertions of private individuals, and of the landowners of the country. But there was a question of still greater importance than that of the noble Earl's—a question which it would be well for their Lordships carefully and maturely to consider—and that was, whether the measures which it seemed to be the design of his noble Friend at the head of Her Majesty's Government to propose, for getting over this great calamity, were adequate to the emergency of the occasion. He begged his noble Friends in that House—he begged the Gentlemen of the other House of Parliament—to consider it. He asked the English people, and the representatives of the people, who entertained exclusively English ideas, and represented exclusively English interests, to say if the principle of economy which seemed the order of the day out of doors were well founded, and whether it was not rather a sort of prospective extravagance, and a principle which would necessarily lay the foundation for future expenditure. It was his earnest wish that the country should come to its senses on this point. He was sure they were not in their senses now, or they would act differently. They really did not understand the nature of the calamity which had fallen upon Ireland, and how it must affect them hereafter. The people of England did not comprehend the latter part of the case, because it never had been brought home to them. He thought the measures produced by Government were small measures—made indeed in the right direction, but entirely insufficient to cure the effect of this great calamity. He felt most deeply that England was taking a wrong view of the case of Ireland—that she did not understand what was going forward in that country—and that they had no proper foresight of the future calamities which would come on her if steps were not taken to remedy the present evils.

The MARQUESS of LANSDOWNE said,

that the observations of the noble Lords who had preceded him, required a few words in reply. The noble and learned Lord who spoke first (Lord Brougham), with great candour and fairness, made some remarks on the general principle of indemnities, in which he (the Marquess of Lansdowne) entirely concurred; but, at the same time, had expressed some regret at the amount of delay which had taken place in summoning Parliament together, and in bringing forward this present Bill. He was perfectly ready to admit the general principle of his noble and learned Friend, that whenever any infraction of the law took place, it should be shown that it was absolutely necessary, more especially in the case of such a great infraction as the present undoubtedly was, and that it had lasted for as short a period as possible, as the shorter the time was, the less would be the objection. Under any ordinary circumstances it certainly would have been desirable and expedient to call Parliament together at the earliest possible period; but, as had been stated on former occasions, when similar objections were urged, when this question came to be considered by the Government, they conceived a very great inconvenience would arise by withdrawing from Ireland, to their seats in Parliament, a great number of the most intelligent, active, and influential persons who were engaged in mitigating the evils and confusion which the unexpected amount and extent of the calamity had created. He was fully prepared to take the responsibility of such a course: but, with respect to the objections of the noble and learned Lord opposite (Lord Brougham), he could confidently say that, when Parliament had met, not a day had been lost in stating that an indemnity would be asked from both Houses of Parliament. Ministers felt grateful for the expression of public opinion on that occasion, for no sooner was that statement made, than the utmost readiness was expressed by both branches of the Legislature to give the required indemnity. With respect to the suggestions of his noble Friend behind him (Lord Monteagle), he was ready to admit that several of them were highly important. There could be no doubt that voluntary agreements made in such a shape as rendered it evident they were sound and binding, should be considered as final. As to the question raised by the noble Lord respecting the electoral divisions, and the powers reserved by the board, he would wish to reserve it for consideration. The noble Earl (the Earl of Ellenborough) had said, that the Government were not entitled to the praise of foresight. He admitted that Government had not foreseen the extent of the calamity; but they shared this blindness as to the future with the rest of the community. No man had calculated on the amount of the calamity which had befallen Ireland, or on the extent of the scarcity which prevailed, and which was not confined to that particular part of the United Kingdom, but extended to other countries. The Government likewise did not, he admitted, suppose that the ordinary course of labour in the country would have been interfered with to the extent to which it had been. The noble Earl stated that there would be great difficulty in procuring seed—a question which had again and again attracted the attention of the Government. He must say that all the accounts which the Government received, and he might add those accounts which reached him in his private relation, proved that it was impossible to exaggerate the importance of providing for the approaching harvest, and stimulating the exertions of the people. Though, as he had said, this subject had received the attention of the Government, the more his attention was directed to it, the more he was persuaded that it was impossible for the Government to undertake the providing seed for the whole country without interfering with the ordinary modes of supply; and the effect of the announcement that Government, even to a very limited extent, intended to provide seed, had at once the effect of raising the price, and in many quarters diminished the facility of obtaining that article. This was a question which must be left to individual proprietors; and though he could not say that they had the power of providing for the want to its fullest extent, yet he knew that a great number were actively, though quietly, engaged in providing a supply, if not adequate to the occasion, at least to such an extent as held out favourable prospects of the future harvest. The noble Earl expressed great apprehension as to the effect of immediately discontinuing the relief works. It was on that ground that Government, having some time back determined that it was expedient to discontinue those works, nevertheless tempered that resolution by affording employment to destitute persons up to the present period, to a limited extent, and by looking forward as the object of their proceedings to the discontinuance, and not the continuance of works of that description. He had hopes that, while those in great distress received relief under the present Bill, the mass of the labourers would soon be enabled to support themselves in the ordinary occupations of the country. He had stated on former occasions that he looked upon the measure authorizing advances to the landlords for the drainage and improvement of estates, as one of the most salutary and safest that could be devised. He had not the least doubt that, as the consequence of these advancements, large improvements would be undertaken; indeed he might say that at the present moment not a few of the landlords were considering how best to give effect to the intentions of the Legislature by affording the largest amount of employment. In what degree the other House might be induced to alter or extend the provisions of the measures for giving relief to Ireland, he could not state; but he must say that the disposition exhibited towards Ireland by Parliament—with the exception, perhaps, of a few individuals—had not been at all of a niggardly character. On the contrary, in Parliament and out of Parliament (he had witnessed it with a degree of pleasure which he could not express) there had been exhibited—in proportion as men's minds were satisfied as to the extent of the calamity—a strong disposition to afford every possible relief to Ireland, and to acknowledge with fairness and promptitude the great object which all parties ought to have in view under such a visitation. It was unnecessary, however, for him to remind their Lordships that the present was a question, not of money only, but of food, and that a profuse application of money, unless cautiously, and indeed slowly made, might defeat the great object in view, and by promoting a sudden and increased demand for food, aggravate existing evils.

House adjourned.

HOUSE OF COMMONS,

Monday, March 1, 1847.

Minutes.] Public Bills.—1° Drainage of Land.
2° Consolidated Fund (£8,000,000).
Reported.—Poor Relief (Ireland).

Petitions Presented. By Dr. Bowring, from Bengal, for Inquiry into the Legacy Duties.—By Mr. Forster and other Hon. Members, from several places, for Reduction of Lighthouse Dues.—By Mr. H. Baillie, from Chairman and Committee of the Forres Agricultural Society, against the Proposed Measures relating to Rum.—By Mr. Heathcote, from Lincoln, respecting the Remuneration of Tax Assessors and Collectors.—By Lord J. Manners, from Stalybridge, in Favour of the Ten Hours Bill in Factories.—By Mr. Sharman Crawford, from Hawick, suggesting Measures of Relief for Ireland and Scotland.—By Sir H. Douglas, from the Liverpool Shipowners' Society, against the Repeal of the Navigation Laws.—By Mr. P. Scrope, from Cork, for Alteration of the Poor Law (Ireland).—By Sir C. Coote and Captain Jones, from Mount Melick and Londonderry, against the Poor Relief (Ireland) Bill.—By Mr. Berkeley, and other Hon. Members, from several places, for Repeal or Alteration of the Poor Removal Act.—By Mr. Bateson, from Coleraine, in Favour of the Railways (Ireland) Bill.—By Mr. S. O'Brien, from Galway, suggesting Measures for Relief to Ireland); and from Clare, respecting certain Charges respecting Captain Wynne.

LABOURERS ON PUBLIC WORKS (IRELAND).

Mr. SMITH O'BRIEN wished to call the attention of the right hon. Gentleman the Secretary for Ireland, to certain information which had been received respecting the wages of labourers engaged on the public works in Sligo. It appeared that they were paid only 8*d.* a day; and, taking into account the present prices of provisions, this payment could not be said to be sufficient to supply a labourer and his family with an adequate quantity of food. He would also ask the right hon. Gentleman if he was aware of the proportion which the expenses of the staff of clerks and overseers bore to the expenses incurred in payment of labour?

Mr. LABOUCHERE said, that in consequence of what had passed on a former day, he had communicated with the Board of Works in Dublin, and would state the result of his inquiries. It was true that the rate of pay for labourers in the county of Sligo was 8*d.* per day. The Board of Works had thought it desirable as much as possible to encourage the system of task-work: task-work was open to any labourer who chose to undertake it, and it was only where task-work could not be given that the system of day labour was adopted. The reason why the Board of Works had not thought it expedient to raise the price of day labour above 8*d.* was, that the ordinary rate of wages in Sligo was only 6*d.* per day. It was extremely desirable not to divert labour more than was absolutely necessary from the cultivation of the soil: where it was inevitable, of course the necessity of the case must be submitted to. Under these circumstances, the officers of the Board of Works considered it better to meet the case of a man who was not able to support his family on 8*d.* per day, by allowing more than one member of that family to be employed; this was deemed more advisable than to raise the wages of the man to above 8*d*. Though he (Mr. Labouchere) admitted that at the present price of provisions it was extremely difficult for a labourer to support himself and his family on 8*d*. a day; yet the case had been met by relaxing the rule at first laid down that only one in a family should be employed. That, as he had said, was looked upon as a mode of proceeding preferable to raising the price of labour. It must be borne in mind that the system of task-work was still open to all, and that by taking task-work more than 8*d*. per day could be earned. The other point referred to on a previous night was the expense of the staff as compared with the amount expended in labour. He had made inquiries, and he found that the apprehensions expressed in some quarters on this question were altogether unfounded. He had the details before him; but, perhaps, it would be enough for him to say that during a month the number of labourers employed in Sligo varied between 19,000 and 22,000. There was one pay-clerk to every 1,250 men, and an overseer to every 140 men, besides a check-clerk. The expense of pay-clerks, overseers, and check-clerks was 2,110*l*. The total expenditure during the month had been 27,877*l*.

MR. P. SCROPE wished to know what provision had been made for infirm paupers who were not able to be employed upon the roads? The only measure that was destined for their relief—the Bill which had recently passed—was one which would not come into operation before next autumn. There were only two modes of relieving the infirm destitute, one was by the workhouse; but he had a letter in his hand from a gentleman in Carlow, in which it was stated that this class had been refused admission into the workhouse, and the guardians refused to relieve them, and would not build temporary sheds for their accommodation. The other mode to which he referred was by relief committees, and they were interdicted from giving relief by the limited means at their command, the Government only supplying assistance in proportion to voluntary subscription. The question he wished to ask was, what certainty of relief the hon. Gentleman could hold out, under those circumstances, to the old and infirm women and children?

MR. LABOUCHERE said, he did not believe that the class referred to were likely to suffer from starvation. The present system of public works would be continued until the plan proposed to be substituted came into operation, and he did not apprehend that the inconvenience referred to by the hon. Gentleman would ever arise.

MR. HUME wished to know whether a certain day had been fixed when the expenditure on the public works should cease.

MR. LABOUCHERE said, that no notice had been given of a day; general directions had been given that the system of public works should be brought to a conclusion as rapidly as was consistent with due regard to safety and the relief of the destitution.

CULTIVATION OF THE SOIL (IRELAND).

SIR D. NORREYS begged to ask the noble Lord at the head of the Government if the Government had taken any measures to ascertain whether the additional quantity of ground which would be required this year, in consequence of the failure of the potato crop, had been prepared for corn; and also whether, in the opinion of the Government, it would not be desirable to make an appeal to the Irish gentry and Irish landlords, in order to induce them to convert their land into tillage land.

LORD J. RUSSELL: The Government have been in constant communication with the Lord Lieutenant on this very important subject. But I regret that I cannot say that I am satisfied that the quantity of land prepared for tillage will supply the loss of the potatoes—supposing no potatoes to be grown this year. With respect to the suggestion of my hon. Friend, that proclamations should be issued by the Government, calling the attention of the Irish proprietors to the subject, and pointing out the necessity of their preparing more arable land, I cannot say that the Government are disposed to interfere by proclamation. I am sure that the Lord Lieutenant has called the attention of the proprietors to the importance of the subject, and the landlords can and ought to issue directions to their tenants; but the proprietors and farmers of Ireland ought to be as fully aware of the danger as the Government; and I hope that they will use their utmost exertions without our interference.

THE EDUCATION GRANT.

MR. C. HINDLEY wished to know the amount to be proposed in the Estimates for educational purposes; and whether the noble Lord intended to bring the Minutes of the Council of Education before the notice of the House, with a view of proposing a resolution upon them as to the application of the funds.

Lord J. RUSSELL replied that the sum proposed would be the same as received the sanction of Parliament last year, 100,000*l.* for Great Britain. With respect to the second question, he did not intend to propose any new resolution.

DISTRESS (SCOTLAND)—EXPLANATION.

Mr. H. J. BAILLIE said, that he trusted he might obtain the indulgence of the House for a few moments with reference to a statement that had been made the other evening by the hon. Member for Fife, when he brought under the notice of the House the distress which existed on the west coast of Inverness-shire. It would be in the recollection of the House, that his hon. Friend read a report which had been published by the sheriff-substitute of Fort William, in which certain charges were made against some proprietors who were said to have neglected their tenants; amongst others, Macdonald, of Glengarry, of whom it was stated, in the report in question—

> "That the proprietor of Knoydart has about 150 bolls of meal in store at Inveree; but the storehouse was shut up about Christmas, and since then a single pound cannot be obtained for love or money."

In answer to this, he held in his hand the letter of Glengarry, who said—

> "In the beginning of November, I sent into Knoydart 21*l.* in money, 100 bolls of oatmeal, and 100 bolls of Indian-corn meal, besides rice and biscuit; of these a portion was immediately distributed. On the 16th of November, the person in charge received instructions from my factor to supply food in all cases of extreme destitution: these instructions were confirmed by me; and last week the storekeeper said he had acted on them, and I desired him to continue to do so. Food is regularly distributed from my store to the families of men who are gone to the south of Scotland for work, and who, without this assistance, could not have gone from their homes."

Now, it was unnecessary to inform the House, that Macdonald of Glengarry was a gentleman of the highest honour; and it was therefore to be presumed that the sheriff-substitute of Fort William must have been misinformed in the particular instance to which he had alluded. And perhaps he might take that opportunity also to allude to the correspondence which had lately been published by Her Majesty's Government relative to the distress in the Highlands; he alluded to the last blue book which had been laid upon the Table of the House. It was unfortunate that this correspondence should have been published incomplete; he was aware that Her Majesty's Ministers had been much pressed for its production; but the result was, that charges were sometimes made against individuals, whilst the answers to those charges had not been received in time to be published in the present volume. The particular case to which he wished to allude at present, was that of the hon. Mrs. Stewart Mackenzie, of Seaforth. That distinguished lady had been accused by Sir Edward Coffin of having neglected her tenantry, and of having allowed two persons on her estate to die of starvation. By order of Mrs. Mackenzie, an investigation of the circumstances immediately took place; and it was proved beyond the possibility of doubt, that the two persons in question had died from natural causes—one of them being an old woman between eighty and ninety years of age; and the other, her daughter, who had been for some time in a consumption, of which several of her children had died; and the parties were living within a short distance of a meal store, where food was distributed to those who were in want. These facts had been communicated to Her Majesty's Government. The explanation, however, did not arrive in time to be published with the accusation; and this was the more unfortunate, for, from all he had heard, he believed no proprietor in the Highlands had used greater exertions, or made greater efforts, to relieve the distress which existed among the people than the lady to whom he alluded.

Mr. E. ELLICE, Jun. was willing to give full credit to the statement that those steps had been taken which the hon. Gentleman had referred to; but still he believed that the report of Mr. Fraser was fully borne out in its essential statements. Since last week he had received a communication from Lord Cranstoun, who thought he was aggrieved by the observations he had made in that House, and wished him to contradict the statements he had then made on the authority of Mr. Fraser; but, considering, as he did, those statements to be correct, he had declined. Now, giving full credit to all these gentlemen for wishing to do their duty, he still thought, that, by reference to the blue book on the Table of the House, the statements made by Mr. Fraser would be found to be borne out by the documents which were there published.

He believed, that, in many cases, the steps taken by proprietors to relieve the people on their estates, had been entrusted to agents who had not carried out the wishes of their employers; and that to this cause might be attributed much that was discrepant in the accounts which were received. While he was on his legs he thought it necessary to allude for an instant to what had fallen from him on another point. It might, perhaps, have appeared, from the statement he made the other night, that he had implied a doubt as to the efficiency of the measures taken by Government to meet the present calamity; but he should not be doing justice to the Government, if, after having learned the nature of the measures they had taken, he did not state that the Government had done all that was in their power to lessen the sudden calamity which had overtaken the county. But, however laudable the exertions of Government might have been, the success which had attended their efforts in the north was mainly due to the two gallant officers who had been despatched to that part of the kingdom with the means of relief.

Sir G. GREY said, the hon. Gentleman (Mr. Baillie) had referred to the correspondence which had been published in the blue book, and expressed his regret that certain letters had not been published which were written in answer to charges brought against certain proprietors in Scotland. He might state that Sir E. Coffin had been instructed to confer with those proprietors as to the best mode of giving relief. He had done so in the case of Mrs. Mackenzie, from whom he received a prompt answer, showing the great desire which Mrs. Mackenzie had to take immediate steps to remedy any defect which might exist in her arrangements; and, among other matters, she had directed inquiry to be made into the cases of the two persons who were said to have died from starvation. The statement made by that lady, as well as those made by others similarly situated, would of course appear in the correspondence hereafter to be published.

EXPENDITURE IN FORMING RAILWAYS.

Mr. W. J. COLLETT begged to refer very shortly to a subject on which he had formerly addressed the House. He thought it right to state, that since the debate on the Bill of the noble Lord, he had made considerable inquiry into the subject of the formation of railways; and by way of example he would refer to the island of Anglesea, to show the amount of benefit which railway works created. The potato crop had failed entirely in that island, which, as everybody knew, was a very poor island. The Holyhead Railway employed in 1846 about 5,000 labourers, and of that number there were 2,500 Welchmen, 700 Irishmen, and 300 Englishmen, merely as gangers. The island of Anglesea had never been in so prosperous a condition as it was in 1846, and it had been produced entirely, he believed, by the expenditure of 100,000*l.* by the railway company. The same remark would apply to the construction of other lines. If they looked at the railway from Maryborough through Thurles to Mallow, they would find that the expenditure of capital by that line had given employment to labourers within ten miles on each side of the railway. On the Dundalk line, and on the Carlow Railway, the same thing was to be seen. On the latter line there was not one Englishman employed, except, perhaps, an overseer. Now, the Secretary for Ireland had stated that the prosperity of Ireland for the following year in a great measure depended on the labour of the next six weeks in manuring the ground, in sowing, and other agricultural labour; but he did not say what would become of the labourers after those six weeks were over. He was prepared to state that the baronies of Ireland were willing to make presentments to the extent of 500,000*l.* to give employment to railway labourers; and it was desirable, therefore, that Government should declare what were their intentions. There was to be a poor law, which would affect the decrepit and the infirm; but what provision was to be made for the rest of the population? He was sorry that the Government had not pressed forward the Holyhead Harbour Bill, which would have given employment to at least 5,000 Irishmen. What was now wanted was, to employ the able-bodied labourers of Ireland during the time that there was no employment for them in the usual labour of the fields; but, excepting the Drainage Act, nothing seemed to be doing for this purpose. Now, if 30,000 persons could be taken from the highways, and employed on railways, it would be very beneficial to the country. He considered that Her Majesty's Government had not taken the proper steps in reference to this question. They ought not to have trusted to mere anonymous authority; and he, for one, would have been ready to afford them all the information which he possessed.

POOR LAW (IRELAND).

MR. P. SCROPE thought he had been misunderstood by the Secretary for Ireland in some observations which he had made in a previous part of the evening. His question related to the infirm poor, who were unable to work on railways, or at any work. As to the impossibility of collecting the rates in Ireland, he might state that the amount collected did not exceed 7½*d.* in the pound. As to the union of Castlebar, it had been conducted during the last four years at 4½*d.* only in the pound; and now they had refused to collect any more rates, though the rents had been fully collected.

MR. LABOUCHERE would not be brought on the present occasion into a discussion of the whole subject of the poor law, especially considering the opportunities that they would have of discussing that subject afterwards. The present poor law in Ireland was inadequate for the relief of the destitute poor of that country; and the Government had admitted that, by the fact of their having declared their intention to introduce a new Bill, which was now before the House. He had risen, however, to guard himself against a misrepresentation of his hon. Friend. He had not, in the answer which he had given, said anything which could infer that a well-organized system of relief, by means of soup-kitchens and the like, would not have a strong tendency to check the extent of misery and destitution in Ireland. He did hope that the measures adopted by Parliament and the Government would relieve the misery which he acknowledged and lamented did exist in many parts of Ireland. But he must say, with reference to what had been said by the hon. Gentleman (Mr. P. Scrope), that, whilst he admitted that a poor law would be beneficial to Ireland, he never had been of opinion that, whatever poor law might be proposed for that country, it could be of itself adequate to meet the present condition of Ireland. He believed that no poor law could meet such a case; and he believed that it was an error to suppose that any poor law could be sufficient to meet and remedy the present state of Ireland.

THE EIGHT MILLION LOAN.

House in a Committee of Ways and Means,

The CHANCELLOR OF THE EXCHEQUER said: I am obliged to my hon. Friends for their kind consideration in postponing the Motions of which they had given notice, in order to enable me at once to make the statement I am about to do in Committee of Ways and Means; and in saying this, I should not be doing justice to my own feelings if I did not state how much I feel indebted to the kind indulgence of the whole House, when I made my financial statement last week. On that occasion I stated, that in order to meet the extraordinary demands which were made on the Treasury of the United Kingdom, in consequence of the existing distress in Ireland, I thought it advisable to have recourse to a loan of 8,000,000*l.*; and it has given me great satisfaction to find that the House generally concurred in the prudence of the course I then ventured to recommend. I have now to announce that I have entered into an arrangement for a loan of 8,000,000*l.*; and I am about to move resolutions confirmatory of the arrangement. It is quite true that on some former occasions it has been the practice to enter into loans before any announcement was made to the House. But that was by no means the uniform course; and, on several occasions, the Chancellor of the Exchequer has in his place in Parliament announced his intention of contracting a loan. It will be in the recollection of hon. Members that on the last occasion when a loan was contracted, a resolution was passed authorizing it, while, in point of fact, it was not contracted till three months after. In making the announcement of this loan, therefore, in the financial statement, I only followed a course for which there is ample precedent; and I thought it on the whole most respectful to the House, and most consistent with my duty, to take the course I did. At ten o'clock the next morning the announcement was made on the Stock Exchange; and I knew no possible disadvantage could arise from the statement I thought it but fair to make to the House on Monday last. The only question for me to consider was, what were the easiest terms on which I could raise the money. I consulted with every person I fairly could consult with on the subject, and I was informed almost unanimously that the easiest terms on which I could obtain the money would be to give a certain amount of 3 per cent Consols for every 100*l.* That was the announcement my noble Friend the First

Lord of the Treasury and I made on Thursday last to the gentlemen who did us the honour of waiting upon us—that Consols should be given, they paying so much money for every 100*l.* stock. This morning several parties attended at the Treasury, when two offers were made. The offers, in point of fact, were identical, and were the result of a previous arrangement. The offer made was 89*l.* 10*s.* for 100*l.* in stock. That, after the fullest consideration I could give to the matter, was the amount I could fairly expect to be given, and I determined to accept it as the best terms the present state of the money market could afford. I need only now state to the House what is the rate of interest; and this will be an answer to some observations which were made on a former occasion as to what I considered would be the probable charge. Of course, it was necessary for me to state what the rate would be; and 3½ per cent I thought the probable rate at which the loan would be raised. In point of fact, the interest which will fall on the country does not equal 3½ per cent. It is not easy to make a very precise calculation. On the occasion of the West India loan, a controversy was raised; for some time there was very considerable doubt what was the precise rate of interest paid for the West India loan. The loan contracted for this morning is for a much less sum than the West India loan; and although the price of Consols did happen to be precisely the same when the two loans were contracted, I naturally expected that when the loan was smaller in amount, I should succeed in obtaining it on more favourable terms. I believe that the interest payable on this loan will be, as near as may be, 3*l.* 7*s.* 6*d.* per cent. A calculation has been made in the Revenue-room of the Treasury that it would amount to 3*l.* 7*s.*, deducting the interest due on the stock from last dividend day. The annual interest on the loan will be 268,156*l.* 8*s.* 6*d.*, and adding to that the charge of management payable to the Bank, making it 270,800*l.*, the interest will be within a small fraction of 3*l.* 7*s.* 6*d.* per cent. That may fairly be taken as the rate at which the loan has been raised. My right hon. Friend the Member for Portsmouth will, therefore, observe that this is 2*s.* 6*d.* less than 3½ per cent. I have in some particulars departed from the previous practice of contracting loans; not being in immediate want of money, I have allowed no discount, but I have adopted the usual practice of giving stock, if required, for all instalments except the first, as they are paid. In some respects, this facilitated the contraction of the loan, without any loss whatever to the Government in point of money. I have nothing to add but to place these resolutions in your hands. The right hon. Gentleman read the following resolutions:—

"1. That towards raising the supply granted to Her Majesty, the sum of 8,000,000*l.* be raised by Annuities.

"2. That every contributor to the said sum of 8,000,000*l.* shall, for every sum of 89*l.* 10*s.* contributed and paid, be entitled to the principal sum of 100*l.* in Annuities, after the rate of 3*l.* per centum, to commence from the 5th day of January, 1847, and to be added to and made one joint stock with the existing Three per centum Consolidated Annuities, and be payable and transferable at the Bank of England at the same time and in the same manner, and subject to the like redemption, as the said Annuities.

"That the several Annuities shall be charged on and paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

"That every contributor shall, on the 5th day of March, 1847, make a deposit of 12*l.* per centum, in such sum as he or she shall choose to subscribe towards raising the said sum of 8,000,000*l.*, with the chief cashier or cashiers of the Governor and Company of the Bank of England, as a security for making the future payments on or before the days or times hereinafter mentioned; that is to say—

"Payment of 12	per cent	on or before	Apr. 9 next.
"Payment of 12	ditto	ditto	7th of May.
"Payment of 12	ditto	ditto	11th June.
"Payment of 12	ditto	ditto	9th of July.
"Payment of 12	ditto	ditto	6th August.
"Payment of 12	ditto	ditto	3d Septem.
"Payment of 16	ditto	ditto	15th Oct.
100			

"That all the moneys so to be received by the said cashier or cashiers of the said Governor and Company of the Bank of England shall be paid in to the account of the receipt of Her Majesty's Exchequer at the Bank of England, in aid of the moneys belonging to the Consolidated Fund, and shall be applied from time to time for any of the purposes for which money might be advanced or granted from the Consolidated Fund of Great Britain and Ireland, under the Act of the 9th and 10th Victoria, cap. 107, or for such services as may be voted by this House, or as may be authorized to be paid thereout by any Act passed or that may be passed in the present Session of Parliament."

In reply to a question from Mr. HUME,

The CHANCELLOR of the EXCHEQUER said, the whole interest would not be paid till July. Supposing any person paid up the whole of his instalments before the 10th of July, he would be entitled to receive the half-year's dividend due in January, and the half-year's due in October. If the whole instalments were not paid up till after July, he would not be entitled to any dividend till January.

Mr. HUME: Then we were to pay interest from the 5th of January; so that this was an addition to the charge. He was surprised that the old mode of borrowing such sums should have been departed from on this occasion, and could not but express his regret at such departure. Upon a former occasion, he had been prepared to show, when the 15,000,000*l.* loan was contracted for, that the country sustained a loss of 2,600,000*l.*, yet he could get no one to support him. In this case, we were to give 8,938,947*l.* for 8,000,000*l.*, and to pay interest upon the former sum; and, though the money was not to be all had till July, we were to pay interest from January. He did not doubt that the stock would be at 3 or 4 per cent premium to-morrow. A loan of 8,000,000*l.* was a trifle for our money market, and the giving such terms was a mistake. He thought it would have been better to have made it an open loan. He had been informed that this morning, in the City, the loan had been at a premium of 1⅝ per cent. If the Government had advertised for 8,000,000*l.*, and had left the terms open, they would have got the money at a lower rate. It was impossible, indeed, for any one to say what another operation might have produced; only, upon principle, he made these observations after communication with persons better informed upon the subject than he was; and he deeply regretted that the loan had been contracted for at so high a figure.

Mr. W. WILLIAMS could not but express his sorrow that the Chancellor of the Exchequer had not pursued the beaten track which had been followed by all preceding Chancellors of the Exchequer for the last forty years, with the exception of the right hon. Gentleman the Member for the University of Cambridge. By this course, they had added to the national debt of the country 175,000,000*l.* By the mode of contracting for the loan adopted by the right hon. Gentleman, he had thrown away 2 per cent. He ought to have got 1*l.* sterling for 1*l.* stock. If the right hon. Gentleman had issued 4,000,000*l.* of Exchequer-bills, he might have increased their interest a halfpenny a day without exceeding the interest of 3 per cent, and they would still have borne a considerable premium. If he had issued 4,000,000*l.* Exchequer-bills, he would have had to borrow only a moderate sum besides, if the calculations of the right hon. Gentleman as to the prosperity of our finances were well founded. He contended that we ought not to increase the principal of the national debt in time of peace. He regretted extremely that the right hon. Gentleman had not adopted a course which would have been creditable to himself and advantageous to the country.

Upon the Resolution being put from the Chair,

Mr. HUME asked why the money had not been borrowed at par? When the resolutions were reported, he should consider it his duty to put on record a dissent to the manner in which the loan had been effected.

The CHANCELLOR of the EXCHEQUER stated, that he had followed the course pursued by Chancellors of the Exchequer for many years past; and the mode which had been adopted for the purpose of obtaining the loan, was that which to Her Majesty's Government appeared the most advantageous. He had to state, that the two parties to whom he had referred as having made the offers for the loan, were Messrs. Rothschild and Messrs. Baring.

House resumed. Resolution agreed to.

POOR RELIEF (IRELAND) BILL.

Lord J. RUSSELL: I am desirous of stating in a general manner what is proposed as some substantial amendment in the permanent poor law of Ireland, not for the purpose of now bringing the subject under discussion, but merely that the House may have the opportunity of knowing as early as possible the tendency of these Amendments. I propose afterwards that the House go into Committee on Monday next for the purpose of discussing the Amendments of the Bill. With respect to the first clause, it has been objected that although the guardians are obliged to relieve persons out of the workhouse when the workhouse is full, or when from fever it is impossible relief can be given in the workhouse, they are not obliged to give relief unless the workhouse be full; yet I consider, by carrying out the former Act, the necessary relief can be given. Certainly this case might arise: the guardians might refuse to give relief to a number sufficient to fill the workhouse, the workhouse being able to hold 400; but, that number not being in it, the guardians might say the workhouse was not full, and give no further relief. But in order to prevent such an abuse, we propose, by additional words, that the guardians be required to relieve other persons than those in the workhouse of the union, when there is room in such workhouse. With regard to the second clause, the words proposed to be introduced are in order to enable the guardians to meet the exigencies which may arise. In a subsequent clause—Clause 9—we propose to alter the liability of the out-door relief being charged on the union; the change we propose to make is to place the charge up to a certain amount upon the electoral district. We propose to place them on the electoral districts, the same as those detained in the workhouse; but if the charge shall exceed 2*s.* 6*d.* in the pound in the year, then, in that case, it shall be charged on the union at large. We likewise propose to change the number of *ex-officio* guardians. In Ireland the guardians are elected from the whole number of magistrates, forming about a fourth part of the whole body eligible for guardians; now, what we propose as an Amendment is, that they may elect a number of magistrates equal to the number of eligible guardians; *i. e.*, that one-half of the whole body, but not exceeding one-half, may be magistrates. We also propose to introduce a clause similar to that in the temporary measure, giving power to the Poor Law Commissioners to remove boards of guardians, and appoint paid guardians. These, then, are the general Amendments which we propose in the Bill now before the House, except with the addition of those alterations which may be necessary to make the Bill clear. There is another point on which we had intended to make some change; and although it has been considered a good deal, I am not able just at present to state what change may be proposed. The House is aware that with regard to poor relief in England, relief is not given to a person having sufficient means for his own support, and that such person has no claim to relief; but, however, it frequently happens that a person in the occupation of a cottage does go into the workhouse during the winter time, and is allowed to return to his cottage again when the winter is over, and there is a greater demand for labour; and it has been proposed as regards Ireland, by an hon. Member, that no relief should be given to any person possessing above half an acre of land. Now, I find in this respect that we are between two cases; if we say that a person should be required not to possess any land whatever before he seeks relief, then there is the danger that the poor person who might retain his cottage would be deprived of the occupation; if, on the other hand, we say relief is to be given to people occupying—suppose half an acre or more—there is the danger that we may be doing an injury, by perpetuating some of the worst holdings in Ireland. Between these two opposite dangers, the Government wish to take some further time for consideration; and though I do not think it right that people occupying land should receive relief, yet there might be some calculation made by which people occupying small portions of land might for a time receive relief. I think that the general rule which applies to England might, to a certain extent, be beneficially applied to Ireland; but on this, however, I am sure that we shall all agree, that those who have other means of subsistence should not be entitled to poor-law relief. This is the general extent of the Amendments; and I shall propose that the House do go into Committee *pro formâ* with this Bill, and proceed with the other Bill—the Landed Property (Ireland) Bill—before this Bill, and with both as quickly as possible.

Mr. SHAW considered that the understanding was, that they should not have any debate that night on the general subject of the Irish poor law, and he did not even mean to discuss or give his opinion upon the Amendments just announced by the noble Lord (Lord J. Russell); his (Mr. Shaw's) only desire was to be sure that he understood them. As he understood the noble Lord, the Amendment on the first clause was, so far to extend the authority of the Commissioners as that their power of ordering relief in food to the destitute, in case of the workhouse being full, should not be evaded by the guardians saying they would prevent its being full, by refusing destitute persons who ought to be admitted. But he (Mr. Shaw) did not conceive that the noble Lord meant to give an absolute right to relief to the able-bodied even in the workhouse, as that would seem necessarily to entail the law of settlement, and much of the English poor-law machinery, which was not applicable to Ireland. The noble Lord's second Amendment, as he (Mr. Shaw) understood, was to facilitate the power of giving increased accommodation for in-door relief, by means of temporary buildings. The third Amendment, relating to the 9th clause, was a recognition by the noble Lord of the principle of rating the smaller district, the electoral division, in preference to the union at large; but in case of the rate reaching a maximum of 2*s.* 6*d.* in any one electoral district, then that the surplus should be put upon the union; and, fourthly, the noble Lord seemed ready to acknowledge the propriety of not allowing relief to any person who held land above a very small quantity, but that the Government had not yet determined what the exact limit should be, whether half an acre or less. He believed those were the alterations intended by the noble Lord, and that was all that he (Mr. Shaw) required to know at that stage of the proceedings.

SIR R. PEEL asked, whether, supposing the workhouse to be full, it was intended during the period it remained full, to give such right of relief to the destitute poor in the union as existed in England, that was to say, out-door relief?

LORD J. RUSSELL, in reply to the first question of the right hon. Gentleman (Mr. Shaw), said, the right hon. Gentleman would see that by the first clause the guardians were required to relieve the permanently disabled poor. By the third clause, as it stood, on an order from the Poor Law Commissioners, the guardians were required to make provision for the destitute poor for a certain time out of the workhouse, the workhouse being full. But, as he had just said, this case might arise, that the guardians might refuse to fill the workhouse, although there were persons starving in the union, in order to escape the obligation to relieve the destitute poor out of the workhouse. The Government had, therefore, thought it right to propose an Amendment, that the guardians should relieve destitute persons out of the workhouse, the workhouse not being full. With respect to the question of the right hon. Baronet (Sir R. Peel), the right would not be exactly the same as in England. There was this difference in England, that all the relief must be given in food; and there was this other difference, that in many poor-law unions, by order of the Poor Law Commissioners, relief was at present given on the ground that one of the children, or one person in the family, was sick. The Government did not propose anything of that kind in the present measure. It would be different from the poor law in England in that respect. At the same time, there would be the right of relief out of the workhouse, and, the workhouse being full, the Poor Law Commissioners would issue an order under which poor persons would be relieved. Of course, they would include in the term "workhouse" any building the guardians might take for the temporary accommodation of the paupers of the union.

MR. BELLEW said, the limit at which the charge on the union was proposed to begin, had better have been 3*s.* or 4*s.*, than 2*s.* 6*d.* The determination of the Government with regard to *ex-officio* guardians, although there was much to be said on both sides, would, on the whole, he thought, not be favourably received in Ireland, considering the great responsibility it threw on the landlords.

MR. J. O'CONNELL was very sorry the noble Lord had given up the uniform mode of rating. With regard to *ex-officio* guardians, he greatly feared that that provision also would be found to work very badly, and to be much complained of. On one point it certainly would be complained of—he meant with respect to the religion and the religious teaching of paupers in the workhouse. Occasions had occurred in Ireland in which the proceedings of the elective guardians had been swamped, and considerable interference with the religious teaching of the children taken place by the *ex-officio* guardians coming down to the board and turning the scale. If the Government meant to persist in the present provision with respect to *ex-officio* guardians, he trusted they would give some means in other provisions of the Bill for preventing the teaching of the children in the workhouses being interfered with.

SIR D. NORREYS thought the noble Lord (Lord J. Russell) had not acted fairly towards the Irish Members, in bringing forward so important an Amendment as that which provided that the charge up to a certain point for maintaining the poor should be levied on particular districts, which perhaps had nothing to do with any such expense. That question should not have been decided by the noble Lord in private. The noble Lord might say the question was not decided; but it had been virtually settled, and it was not at all likely that the noble Lord would change his opinion and acknowledge that he was in the wrong. It was too great a question for a Minister to decide in his closet. Did the noble Lord not recollect that he (Sir D. Norreys) presented a petition the other week setting forth that in some electoral districts the charge for maintaining the poor was as high as 2*s.* in the pound, while in others it did not exceed $2\frac{1}{2}d.$, and yet the noble Lord seemed to think that in proposing his Amendment he was protecting the electoral districts? The noble Lord's conduct on this and other occasions had shaken his (Sir D. Norreys') confidence in him. He had exhibited the same vacillation in regard to the Factory Bill, and other measures of importance. In fact, the noble Lord had not taken that firm stand on principle which he should expect in a political leader. He hoped to see the noble Lord take a stand becoming his position as the head of a Government and the head of a party, and not allow himself to be swayed and influenced by the suggestions of interested parties.

Mr. MORGAN J. O'CONNELL said, if the hon. Member wished for an opportunity for a discussion on the question, he would take care that the hon. Member should have that opportunity. He would take care, also, that the House should have an opportunity, not only of discussing whether there should be out-door relief given in the manner proposed, but also whether the rate should be uniform throughout the whole of each district. The noble Lord might tinker and patch up this part of the law as much as he pleased; but he would find, before five years had passed over, that he had aggravated, by it, the evils he meant to remedy. An uniform rate was the only one which combined simplicity with justice.

Mr. SMITH O'BRIEN could not let the opportunity pass without entering his protest against the change made by the noble Lord with reference to the constitution of the boards of guardians. When the right hon. Gentleman (Sir R. Peel) was in office, he proposed that one-third instead of one-fourth should be *ex-officio* guardians, though he was forced to give up that proposition; but the noble Lord went much further. He warned the noble Lord that his measure would in this respect create great discontent in Ireland. If the magistrates were fit to administer the affairs of the poor, they would be elected by the ratepayers; if they were not fit, he thought it was scarcely questionable whether they should sit on the board or not. The noble Lord's alteration would give a great accession of aristocratic influence to the constitution of the boards. He was extremely sorry that the noble Lord had overlooked the notice of a proposition which he had put on the Paper, and which he thought would have removed many of the objections to the adoption of electoral divisions for rating. He thought the best thing would be to have a new arrangement of electoral divisions.

Mr. P. SCROPE said, there was one alteration which he thought of very material importance, viz., that there should be a right of relief in some shape or other, in the workhouse or out of it; so that in Ireland, as in England, no one should be allowed to starve. The concessions which had been made by the Government to the landlords, he thought, were very large. The second clause did give power to the Poor Law Commissioners to order out-door relief to the able-bodied poor; but the alteration now made was very material, for by it they only had power to order relief to be given out of doors where the workhouse was full, or so dangerous, from contagious fever, that persons could not enter it. The next concession was to the landlords, in the clause respecting the constitution of the boards of guardians. That was a great alteration, and he doubted whether the poor would not suffer from it. The third concession was the alteration with respect to the electoral divisions. The fourth concession was, that small farmers should not be allowed any claim to relief until they gave up their property. The noble Lord was not determined whether half an acre should be the lowest amount of land to be held along with a right to relief, or not. This was a regulation which had no parallel either in the law of Scotland or of England. In Scotland, it often occurred that the farmer of a small farm was a fit subject for relief; for instance, from his own or his family's sickness. When a farmer in Ireland occupied three or four acres, as from 300,000 to 400,000 of the population in that country did, and was unable to obtain work, or became an object of relief from the sickness of himself or his family, was he to part with his occupation before he was relieved? He warned the noble Lord that such an enactment would lead to very great sensation among that class of persons in Ireland; and there was already a very strong feeling among that class lest they should not obtain the right to permanent relief under the new poor law. He had not observed that the noble Lord had made any alteration in the clause confining the right of out-door relief to the permanently disabled. They constituted but a very small part of the destitute poor. On referring to the lists of paupers relieved in England, he found that the Poor Law Commissioners divided them into nine different classes, who were all relieved out of doors in England. Yet this class of disabled was the only one that was to be relieved out of doors in Ireland. He had really thought that the time was come when the poor laws of England and Ireland were to be assimilated. If the sick poor were not to have out of door relief, to a very large portion of the poor of Ireland the Act would be wholly inadequate. He did hope that this clause would be taken into consideration by the Government, and that they would see that the sick poor, most of all, required relief at their own homes; for, unless the principal enactments of the measure were assimilated to those of the poor law of England, there would be no security for the adequate relief of the poor, or for the prevention of that emigration which the poor were forced to resort to, in order to obtain from our more liberal institutions that which the law denied in their own country. He wished to know whether this measure was to be accompanied by another for the suppression of mendicancy in Ireland. On the 1st of December, 1837, the noble Lord based the proposition he then made for a poor law on the advantage which it would give in suppressing mendicancy in Ireland. Mendicancy and vagrancy, however, had not been put down; and he trusted, therefore, that the noble Lord would see the absolute necessity of reintroducing the clauses on this subject which at that time passed through the House of Commons, but were lost in the Lords. Unless an end were put to vagrancy, the workhouse relief would not be a sufficient remedy.

Mr. LEFROY wished to know how far the workhouse test was to be extended, by providing additional buildings before relief was to be given out of doors? Upon other points he thought it would be best to postpone discussion; but he believed that the more the question of union rating was discussed, the more fair it would appear that electoral rating should be adhered to; and with regard to the denial of relief to the occupiers of land, he agreed with the noble Lord that there was no reason why a person in the occupation of several acres of land should have relief. These were points, however, which could be better discussed on a future occasion.

Mr. D. CALLAGHAN had hoped that the noble Lord's observations would have passed *sub silentio;* but as there had been a discussion, and as there were cases in which Members who were present, and did not speak, had their views misconstrued, he wished to say a few words. He had read many petitions presented to the House during the present Session, and the great majority were not in favour of the electoral district system, but of a rating more extensive even than the union. They advocated one uniform rating throughout the country. He was not a guardian himself, but he had heard that almost all the squabbles were about electoral rates; and he was of opinion that the more extended the surface over which the rate was collected, the better it would be for the comfort of the people. He had heard, with great regret, the proposed changes in the number of *ex-officio* guardians, which would be unpalatable in Ireland. In his own union he knew of one *ex-officio* guardian, who frequently attended, yet who did not pay a penny of the rate, or own one pennyworth of property in the county.

Mr. SHAW begged to ask the noble Lord, did he intend to introduce a Vagrancy Act for Ireland, to accompany the New Poor Law Bill?

Lord J. RUSSELL replied that there should be a Vagrancy Bill for Ireland introduced; but as to the time for introducing it, he had not yet made up his mind.

Bill went through Committee *pro formâ.*

LANDED PROPERTY (IRELAND) BILL.

Lord JOHN RUSSELL stated that as the Amendments which he proposed to introduce into this Bill were of a comparatively trivial nature, he did not think that it was necessary then to commit it, but he should at once propose that the Committee on it be deferred till Monday next.

Mr. SMITH O'BRIEN hoped, that the noble Lord would without delay make some progress with the other Bills. Ireland was in a most disastrous condition, and they were going on spending large sums of money; but nothing was done for the permanent improvement of the country. He went as far as almost any one for the adoption of out-door relief, and therefore he was glad that it had been adopted in the Bill just before the House. It was now the sixth week of the Session, and little or nothing had been done; they were still going on expending large sums of money on useless works, instead of looking to the construction of permanently beneficial works, such as those involved in the proposal of the noble Lord the Member for Lynn. What was the nature of this Bill?

It gave the power to spend 1,500,000*l.* in drainage, and it would afford employment to the people now subsidised by the Government for two months; and this was all that was proposed to be done, to effect the great object of taking the people off from the construction of useless roads to permanent beneficial employment. On a former night the hon. Member for Montrose made a suggestion as to the employment of the people, which was well worthy of the attention of the Government. He wished to know when the Waste Lands Bills would be brought forward. He regretted that nothing had been done as to a measure for tenant compensation.

LORD JOHN RUSSELL hardly knew whether it was necessary to give any further answer to the observations of the hon. Member than those which he had already given. With respect to the present Bill, he thought that it would be better to go through it clause by clause, which proceeded in conformity with the views of the most enlightened friends of Ireland, as regarded the adoption of internal improvements. It appeared to him that they took the most practical course in proceeding with these two measures, which were of the greatest possible importance, as nearly as possible together, so that they might be sent up to the other House together. The hon. Gentleman seemed to think that the adoption of the proposed poor law was not calculated to make the country rich; now he (Lord J. Russell) believed that a good poor law in Ireland would tend to do so. He received the other day a letter from a landed proprietor in Ireland, who resided on his estate, in which he was assured that the farmers employed labour more readily and more extensively when they found that the labourers were likely to become chargeable on the rates. The hon. Gentleman expressed his regret that large sums of money had been expended in works of a particular character; now he (Lord John Russell) thought that the hon. Gentleman did not attach sufficient value to the recent expenditure of large sums of money in the present crisis in Ireland, so as to enable the people to earn sufficient to enable them to obtain the means of subsistence. He conceived that it was not of so much importance as to whether the works on which the people were employed were productive or not; but that there should be such an outlay that persons at remote parts of the country, either by employment on railways or any other works, might be enabled to get sufficient to support them. He hoped that many of the roads which had already been constructed, or were now in the course of construction, would prove to be useful works; but, under any circumstances, it was of the greatest importance that there should be advances of money for the employment of labour at a time when the population was in such a state of destitution. He could assure the hon. Gentleman that the measure relating to waste lands should be introduced very shortly. He had spoken a few days ago to the Lord Chancellor on the subject of the waste lands, and he had found that it was necessary to consult the Lord Chancellor of Ireland on the subject, as it was desirable to see whether the law was the same on the subject in England and Ireland. Under these circumstances he would ask, whether it would not be better to submit to a little delay, so as to introduce the measure in as perfect a form as possible? The hon. Gentleman must be aware that Bills had passed that House involving public improvements, which, in consequence of such informalities or technical mistakes, had not become operative; it was therefore most desirable, in a measure like that which he had alluded to, to avoid anything of the kind. He could only repeat that there was every desire on the part of the Government to bring forward this measure with as little delay as possible; and he trusted that the hon. Gentleman and the House would show some forbearancce, considering the difficulties of the subject with which they had to deal.

MR. HUME felt bound to express his dissent from the speech of the noble Lord. The noble Lord seemed to think that the only thing was to give money to the people so as to enable them to provide themselves with food; but he contended that the money so given should be expended in such a way as to provide for the permanent welfare of the people. As it was, every shilling that had hitherto been expended, tended to withdraw the people from that employment which was of the most consequence to them, namely, the cultivation of the soil. He conceived that the Government might bring in a measure so to relieve the landed proprietors, by affording facilities for the sale of land, as to enable them to afford employment to the people. He could tell the noble Lord that very recently some land had been sold in the neighbourhood of Carrick, which was in the midst of the most distressed districts, for twenty-seven years' purchase; and this had been bought by persons of capital in that vicinity. No permanent improvement could take place if the greatest care was not taken as to the character of the works on which the people were employed. He held in his hand an extract which he had taken from a Sligo paper, which showed that the system of public works adopted had tended to take all those engaged in labour from useful and productive employment; and this had been attended with the most scandalous expenditure. As for the delay in the introduction of the measure relating to waste lands, he thought means might readily be adopted to facilitate the sale of lands now in Chancery. It was stated in the appendix to Lord Devon's report, that notwithstanding the severest pressure on the landowner, he could not sell any portion of his land in consequence of its being involved in some Chancery suit, and that this had been productive of the greatest mischief. Why not adopt the same principle with regard to these lands as was acted upon where land was taken for railroads? When land in Chancery was wanted for a railroad, the value of it was duly estimated, and the money was paid into the Court of Chancery, and the dispute or suit went on with respect to the money instead of the land. Why was not this principle acted upon with regard to land in Ireland? He entreated the noble Lord at once to bring in the Waste Lands Bill.

Lord G. BENTINCK could not take so sanguine a view as his noble Friend had done of the improvements which had been made in the roads in Ireland under the Public Works Act. He had received on Saturday a report of a meeting, from which it appeared that the view taken by his noble Friend was not that held by persons the best able to form an opinion on the subject. The paper he alluded to contained a report of a speech made by Mr. Bianconi, than whom no one was a better judge of the alleged improvements in the roads in Ireland. That gentleman said—

> "If the English Parliament had known anything of the country, it would not have given millions to spend in such a way as to render impassable the communications throughout the country, instead of expending the money in productive employment. He began to apprehend that England was afraid of the prosperity of Ireland, which might be followed by her independence. In consequence of the state of the roads, he had been obliged to abandon several cars between different places, and which required 100 horses, as well as afforded employment to several men. Instead of the Parliament giving money for the construction of railroads or other productive labour, it had given money to spoil roads which were hitherto good."

Under these circumstances, he did not think that the making of these roads could be considered as tending so much to the improvement of the country.

Lord JOHN RUSSELL did not say that he was sanguine as to the advantages of these public works, but he stated that the chief object in view was the employment of the people.

Sir J. GRAHAM apprehended, from a passage in the speech of the noble Lord, that he entertained the opinion that it was comparatively immaterial as to whether the capital given for public works in Ireland was expended on productive or unproductive works; he (Sir James Graham) believed that it was of the greatest importance for national objects that every farthing now expended, should be spent in such a manner as to promote the future welfare of the country. He rose, however, chiefly for the purpose of offering one suggestion. It would be in the highest degree unjust, considering the great pressure on the Government in the difficulties which had arisen in Ireland, to complain, in the slightest degree, of delay in bringing forward measures to meet those difficulties. With reference to the permanent measures for the improvement of Ireland, he thought that it would be most important, for the future relief of that country, that the measures contemplated for facilitating the reclamation of waste lands should contain provisions to relieve the owners from those impediments which burdened the sale of their lands. The importance of these measures could not be overstated. The rights of creditors and the rights of heirs should be carefully considered; and it should be provided that in giving the promised relief, no great principle of law should be violated. He, therefore, rejoiced that the Lord Chancellor of England and the Lord Chancellor of Ireland should have had their earnest attention directed to the Bill; but, judging from his experience of the last Session, he thought the House had reason to apprehend that if the matter were left exclusively in the hands of lawyers, no such relief as the urgency of the case required would be obtained. In the last Session, that House had sent up to the other House of Parliament, by an almost unanimous vote, a clause in the Bill for the drainage of lands in Ireland with regard to advances to be made to estates—a clause enabling tenants for life to borrow money for the purposes of drainage, due precaution being taken that the inheritance should not be damaged by such a loan, and provision being made that a competent tribunal should certify that the outlay would be productive, and the improvement without injury to the fee-simple value. Precaution was also taken that the debts should be a first charge on the land. That clause was introduced by the Government, and passed without meeting any great opposition from landed proprietors. But what happened to it in the other House? Why, the law Lords—Lord Cottenham, Lord Campbell, Lord Langdale, and Lord Lyndhurst, the then Lord Chancellor—without distinction of party, all made common cause, and applied the strict technicalities of the law of England to the measure. Those law Lords conjoined, and forced upon the other House the rejection of that clause of the Bill, and it came down again to the House of Commons mutilated. He must say that they were forced to yield, although the Bill was returned to them so altered, so mutilated, and, in his opinion, greatly impaired. Yet although he thus plainly expressed his opinion with regard to that measure, he should repeat, that he rejoiced to hear that the Lord Chancellors of England and Ireland were giving their attention to the Bill about to be brought before Parliament. He should be sorry that any of the strict rules of equity should be discarded in the matter. The rights of creditors should be preserved intact, and the rights of heirs should not be overlooked, and all contingent rights *in posse*, looking further forward, ought to be, as far as possible, maintained. But he was quite satisfied that no remedy would be speedily given at all adequate to the pressure of the prevailing circumstances; and he therefore hoped the Government would mature their measures as soon as possible, and bring forward speedily such as, on the one hand, the law authorities might be willing to assent to, and such as, on the other, should be of sufficient efficacy to meet the real difficulties and emergencies of Ireland. The suggestion he had to make to the noble Lord was, that whilst they were in that House discussing the measures of poor laws and the Bills for aiding the improvement of estates, and enabling tenants for life to incur debt for that purpose, the other House of Parliament might, in his opinion, be occupied in forwarding those measures to which it was of the greatest importance the great law authorities should give their attention, and on which their opinions would be most required. He hoped that in ten or twelve days the noble Lord would be enabled, as he had expressed his hope, to bring forward the measure of which he had spoken, and the other House of Parliament might then be occupied in considering details to which he (Sir J. Graham) attributed the utmost importance, and which ought not to be longer delayed. He begged to offer the suggestion merely to the noble Lord. He would not wish to embarrass, or unduly to hurry the Government, because he thought they had shown the greatest desire to bring forward measures to meet the present difficulties, and it would be most unfair to press upon them so as in any manner to embarrass them.

MR. LABOUCHERE participated in the regret expressed by the right hon. Baronet at the delay which had taken place in the bringing forward measures of great importance. But it would be impossible for the Government to allow the important measures to which he had referred to be brought before either House of Parliament until the details had been duly prepared. He trusted, however, that no long time would now elapse before the other House of Parliament would be occupied in considering measures for the purpose of facilitating the sale of estates in Ireland. The Lord Chancellor of Ireland had sent over his views upon the subject. It had since undergone consideration by the Lord Chancellor of England, and it was then in such a state of forwardness as that it would soon occupy the attention of the other House. But there was one observation of the right hon. Baronet's to which he would advert. The right hon. Baronet seemed to have imagined that the noble Lord at the head of the Government had stated that it was a matter of indifference to him whether the money given to employ the Irish labourers was spent upon productive or unproductive works. [Sir J. GRAHAM: Of comparative indifference.] He accepted the distinction, but the noble Lord had never said any such thing. It was obvious that were a choice to be given between non-productive and reproductive works, the latter should be preferred when a certain sum of money was to be spent. What his noble Friend had said was, that it should be always borne in mind, in considering that question, that the primary point was, in the present condition of Ireland, to save human life and to diminish human suffering as much as possible. So far as that object could be combined with reproductive employment, it would be desirable; but they should not lose sight of the pressing necessity. It was very easily said that they should employ their money only in reproductive works; but he felt sure the right hon. Baronet would not give his assent to the proposition relative to productive employment, which had been so repeatedly put forward, namely, that the Government should undertake the ordinary cultivation of the soil. They should recollect that the primary object was to furnish employment throughout the country; and it would not do to employ the money in certain places only, where they would necessarily collect together the whole of the population of the surrounding district. The right hon. Baronet had himself spoken the other night against the employment of the Irish population in the making of railroads, for the very reason that the people would be thereby congregated together at particular spots. They should try to bring employment home to every Irishman; but he thought that it would be ruinous to employ money in the cultivation of the soil. Were they to do so, the whole private employment in the country would cease. All the cultivation of the soil would cease except that done by the Government; and great and Herculean as was the task already undertaken by the Government, it would be as nothing compared to that which would then be laid on them. The most sweeping censures had been cast upon them, because they had not followed a different course from that which they had adopted in furnishing means of subsistence to the poor of Ireland, and because they had preferred giving that employment upon what were called public works, rather than having recourse to a system of what might have been called reproductive works. And he could not help regretting that what seemed to be a sort of censure upon them, should have fallen from the right hon. Gentleman the Member for Dorchester, because he thought that anything like censure coming from a Gentleman whose opinion was of so much weight and importance in the House, should be well considered, as it could not fail to have much influence.

Sir D. NORREYS thought, that if the noble Lord wished really to effect any good in Ireland by his measures, he should carry them with a determined hand. He should not be stayed by many of the heretofore received restrictions of the law. For instance, no man should be allowed to deny to the country the uses and advantages to the country at large of the mineral wealth which his estate might (uselessly to himself) possess. The noble Lord should not, in the present state and condition of Ireland, allow the old ideas of the sacredness of property to prevent the undertaking of any measures that promised to be generally beneficial to the country. And he thought there ought to be some tribunal erected in Ireland which should carry such measures into effect, without rendering an appeal to that House necessary.

Mr. BAILLIE was very happy to hear that it was the intention of Her Majesty's Government to bring into the other House of Parliament the Bill for facilitating the sale of incumbered estates in Ireland; and he hoped that some such law would also be introduced for Scotland, where there were many estates at present deeply incumbered, which the proprietors could not dispose of.

Mr. J. O'CONNELL would ask, with regard to the defects of the Drainage Act passd last year, what could be expected from a measure introduced at the very close of the Session? As to the censure passed upon the road work, he asserted that by the employment given in the improvement of the roads, a great amount of human life had been saved; whilst it appeared from returns formerly made, that improvements of roads in Ireland, by opening up the country and facilitating the means of internal communication, had so increased the returns of the Excise, as to make abundant repayment of the original expenditure. But in the present distressed condition of the Irish people, there was no possibility of giving them employment in any sort of reproductive work in many districts. He could speak from his own experience of a district near Dublin. He meant that of Kingstown and Monsktown, where there were no reproductive works upon which they could be employed; and the committee of which he was a member had no choice but to employ them on the roads. At the same time he joined in saying, that a fair measure for the reclamation of waste lands ought to be hurried forward. As to the complaint of some hon. Members, that the time of the House was entirely taken up by Irish affairs, he thought it was important that the House should for a time give up its entire attention to Irish matters. It would be for the benefit, not of Ireland merely, but of the empire at large, for the question before them was a most difficult problem to solve.

MR. SHAW said, that as regarded the Labour-rate Act, there was no doubt that in many parts of Ireland it had worked very ill, but still in some parts very useful works had been done under it; and, at all events, the first object of that Act was, in a moment of unexampled emergency, to give wages, so that the people might not perish from want. The next, that some work, at least, should be done for these wages; but there was one consideration that the House seemed to overlook, that, since the passing of the Temporary Relief Act, the Labour-rate Act was superadded, and that thenceforward the question would not be between productive and reproductive works, but between productive works and no work at all, for the Temporary Relief Act was merely to give the people food, and not work. While he, therefore, was ready to make every allowance for the Government, considering the great pressure that was upon them, still he would urge upon them the absolute necessity of their not losing a moment in the progress of that Bill then before the House, and the introduction of all others that they contemplated of a permanent nature for stimulating the industry and developing the resources of the country, recollecting always the immense unproductive outlay that would be going on until these measures came into operation.

MR. P. SCROPE said, he had received a letter from an engineer, employed at present in Ireland, who stated that it almost broke his heart to be obliged to go on with works which would not and could not repay the outlay in a part of the country where he was surrounded with tracts of beautiful land, capable of supporting the population, if only drained, but which was altogether swamped with water. He added, that if the Government had the power of cutting main drains, as they now had of forming main roads through the country, it would be of the greatest importance. The subject was one which he (Mr. Scrope) trusted Her Majesty's Government had directed their attention to.

MR. STAFFORD O'BRIEN said, before the noble Lord replied to the hon. Member who had just sat down, he begged to make a single observation. It would be in the recollection of the House, that he stated on Friday last, he was willing to accept the English poor law for Ireland, letter by letter, and clause by clause. As there was, however, a Bill brought in by the hon. Member for Rochdale, read a second time on the night before without a division, containing two principles of a novel character, he wished to know the course which Her Majesty's Government intended taking with regard to the application of those principles to Ireland. One was, that the portion of the rates for which the landlord was liable, should be paid in the first instance by him; and the other was, that there should be a discretionary power in boards of guardians to decide what portion of the rate to be collected should be collected, or should go into arrear. He perceived with much surprise that the sanction of the Government had been given to a Bill with these principles; and he would wish to ask the noble Lord whether it was the intention of Her Majesty's Government to open now the question of poor-law rating in Ireland; and if so, whether they were prepared to sanction the two principles to which he alluded?

LORD JOHN RUSSELL really could not presume to undertake to answer, on that Motion for putting off until Monday next the Committee on the Landed Property (Ireland) Bill, for all the various measures which it might be in the contemplation both of Her Majesty's Government, and of various Members of the House, to introduce. With respect to the question of the hon. Member behind him, with regard to drainage in Ireland, he apprehended that the operation alluded to, could be performed under the existing Bill, though no doubt it might at the same time be a desirable matter to have all the provisions of the several measures embodied in one Act. With respect to the question of his hon. Friend opposite, he really could not, seeing that there was another discussion to take place on the Bill of the hon. Member for Rochdale, undertake to state what course the Government would be prepared to adopt with respect to all the details of that measure. He certainly did not agree in all the principles introduced into the Bill; but, at the same time, he thought there were one or two good clauses in it, which ought to receive the sanction of the House.

The EARL of LINCOLN begged to remind the House that the power alluded to by the hon. Gentleman opposite (Mr. P. Scrope) existed under the Bill which had been brought in by his noble Friend the present Earl of St. Germans, when Chief Secretary for Ireland, and that there were four other extensive systems of drainage brought forward under the sanction of the Government of which he (Lord Lincoln) was a Member, involving an expenditure in the gross of 120,000*l.* or 130,000*l.*, a portion of which would be borne by the country.

Committee postponed.

SUPPLY—ARMY ESTIMATES.

On the Motion that the House go into Committee of Supply,

Mr. HUME said, before the Speaker left the chair, he wished to offer a few observations to the House. It was not his intention to object to any of the items to be submitted to them in Committee; but he really could not avoid calling their serious attention to the situation in which they were going to place themselves. The right hon. Gentleman the late Chancellor of the Exchequer noticed on a former evening the gradual increase which was taking place in the army, navy, and ordnance establishments. Since the year 1822 there had not been such a large amount required for these departments as in the present year. He wanted to know what were the particular circumstances of the country which rendered this increase necessary in the present year. On a former occasion, when the position of the country was such as to render it incapable of bearing a proposed increase in these establishments, the House required the appointment of a Committee of Finance to inquire how the increase became necessary; and he, for one, did not hope for any success now until such an inquiry was instituted. Each of these departments was no doubt anxious to keep up its force as large as possible; but it was for the First Lord of the Treasury to deal with the aggregate amount, and to see that no expense was incurred that could be avoided. It appeared to him that no such care had been as yet manifested, or was likely to be exerted, until a general inquiry took place. It might be said that the end of the existence of Parliament was not a time for an inquiry such as he recommended to be commenced; but he trusted that next Session, which he hoped would be in a new Parliament, the matter would be taken up. He confessed that he had listened with alarm to some of the reasons put forward by his hon. Friend the Secretary to the Admiralty—if he understood him rightly—to prove the necessity of the proposed increase. His hon. Friend dwelt on the increase that was taking place in the French navy; but he thought that the system of regulating their establishments or keeping them up because this or that foreign Power wished to keep up theirs, was one involving a very doubtful policy. The anticipated surplus of 60,000*l.* for the present year, was, he considered, altogether too small a surplus to be depended on. He would not blame the present Ministers; but if the pressure from without was too great for them to withstand, the House ought to come to their support, and enable them to carry out any virtuous intentions they might entertain. He thought that the recent brevet was uncalled for, unless it was regarded as a means of enabling them to get rid of old and useless men. They had, latterly, a greater promotion in time of peace, than ever there was in time of war; and he hoped before long to bring this matter before the House in detail. The right hon. Gentleman the Chancellor of the Exchequer complained of his hon. Friend, the other night, for not going further back on this subject than 1835. He was willing to meet the right hon. Baronet by going back any number of years he might desire. He had before taken the three years 1835-6-7, and he found that the army, navy, ordnance, and miscellaneous estimates for these three years amounted, in round numbers, to 43,000,000*l.* sterling, being an average of 14,474,000*l.* a year. Now, taking the three years, 1842-3-4, he found the aggregate under these heads to be fifty-five and a-half millions, giving an average of eighteen and a half millions for each year, or an excess of expenditure of 4,028,000*l.* a year in the latter years compared with the former. He would like to know what were the circumstances which justified a greater expenditure now than in preceding years. He had looked around to ascertain how the relative condition of the country, in its external relations, had been altered in this period, but without discovering a sufficient cause. During the war with China, or during the foolish armament against Syria, some excuse for increased expenditure might be found; but at present he knew of no Power with which they had any hostility. The subject was one which the public—those who paid the taxes—ought to take up, but which, he regretted to say, they most unaccountably neglected. During the last general election, in no one case was a candidate pledged to economy. The electors had time to consider the subject; they had the taxes to pay, and on them the blame of this neglect should rest. He hoped a different feeling would be displayed on this question at the next general election; and if the electors did not then take it up, he had only to say that they would have no right afterwards to blame any one in that House. With the surplus revenue of last year before them, they ought to have been able this Session to take off the tax on soap and on bricks, and to have removed the duty on butter and on cheese. They might, he believed, have ultimately adopted his favourite project of doing away with the Excise altogether, and giving over the spirits and malt duties to the Customs, With the surplus of last year before them. they might, he thought, strike off three millions of taxes this year if the expenses for the navy, army, and ordnance were not so large. With one-half of this amount they might relieve the country from all the taxes he had enumerated, and with the other half they could remove the tax upon timber, which was one of the greatest burdens that now pressed on the industry of the country.

Sir DE LACY EVANS said, his hon. Friend had put forward his statement with respect to the brevet without the slightest regard to the facts. His hon. Friend had insinuated that there were more officers now than at the close of the war; but the fact was, that at that period, there were 27,000, and now there were but 10,000. In like manner, there were then 674 general officers, and now there were but 319. His hon. Friend had also misrepresented the speech of his hon. Friend the Secretary of the Admiralty. What the right hon. Gentleman did say was, that all power was relative; and that, seeing a great nation, on whose cordial friendship they had not the greatest reliance, increasing its armaments, it was thought necessary, at least, to keep ours in an efficient condition. He (Sir De L. Evans), although with some pretensions to the character of a popular Member, would never support any attempt to reduce our defences under such circumstances. His hon. Friend used formerly to refer to the year 1792; that was his favourite reference at that time, though he might just as well have gone back to 1700—for the periods were equally dissimilar—and now the hon. Gentleman had got to 1841 and 1842. There was almost as great a difference between the hon. Gentleman's present periods of comparison as in the old ones. France had just expended 11,000,000*l.* in fortifications—the greatest proportion of which were at Paris, and on the Channel coast—and in warlike preparations, and war too against this country—and were the Government at this juncture to diminish the efficiency of our defences? There was an increase in the French estimates of 10,000 men; but his hon. Friend did not approve of our following their example, and considered we ought not to be guided by the proceedings of other nations in this respect. That might be all very well if all other nations were disposed to join in one general bond of peace and amity; but circumstanced as other nations were, and circumstanced as we were with them, he was surprised to hear that a proposal had not been made on the part of the Government to increase both the naval and military forces. His hon. Friend had expressed surprise that the constituencies of the country had not obtained pledges on the hustings from their representatives to advocate a reduction of the national expenditure; but he was glad to perceive that in many cases there were more sensible electors out of the House than representatives in it—and he was happy to find that there did not exist in the public mind generally any idea that it would be prudent still further to reduce the national defences of the country. An election might soon be expected, and he for one announced that he should not be induced to promise upon the hustings the advocacy of any measure which might have the effect of decreasing the security or impairing the honour of the country.

Lord G. BENTINCK: Sir, I entirely concur with the gallant General opposite, that nothing can be more foolish than by silly reductions of the naval and military forces to expose to possible danger the security of the country; and I have heard with no inconsiderable surprise from the free traders opposite, that you no sooner establish free trade, than you increase the naval and military forces. I have been told, Sir, that the first effect of free trade would be that Christian unanimity among all nations which would enable us to rase all our battlements, lay flat our fortifications, disband our armies, and do away with our national defences; but I, as a protectionist, never foresaw that any of these consequences would arise. I never thought there would be more harmony between foreign countries and Great Britain, because we were unwise enough to admit the imports of those countries without charging them any duties. Because free traders are disposed, I am not disposed, to listen to the proposal for an unwise or foolish reduction of the military or naval establishments of the country, nor, any more than the gallant Gentleman opposite, to expose the security of the country to the inroads of foreign nations.

Dr. BOWRING did not agree with the noble Lord opposite (Lord G. Bentinck), in thinking that the abolition of restrictive duties would not promote harmony among nations. He believed that the interests of peace were associated with free trade, and that their public recognition would ultimately lead to a considerable decrease in the naval and military establishments of Great Britain. He had, in the course of the present debate, heard much about "silly economy," "dangerous experiments," "defenceless position," "rash retrenchments," and similar observations, which he believed were calculated to do much mischief; and however hon. Gentlemen might consider proposals for reductions in the naval and military establishments of the country dangerous and inexpedient, still he believed there was in the country a sanguine hope and expectation that at no distant period both branches of the service would be materially reduced. For his own part, he felt that we ought to be bound together by something far stronger than that which was termed our "means of defence"—and that our merchants would be found far better defenders than our armies. He was not aware of what had happened at the various hustings with respect to pledges exacted by electors on the necessity of curtailing the national expenditure; but he could say, that as far as he was concerned, he had received more than one significant hint—more than one severe lesson—more than one honest caution as to how he might lend himself to the proposal of any increase in either the Army or Navy. Although in the present emergency the country placed implicit reliance on the wisdom of Government, and larger demands were made upon its resources than, perhaps, any previous Government had ever required; still the country felt that economy ought to be exercised in all the public departments of the State to the utmost extent consistent with efficiency and good order.

Mr. WILLIAMS remarked that, in the observations he was about to make, he would not occupy much of the time of the House. He was not surprised to find any estimates, no matter how extravagant, connected with the naval or military services, supported by hon. and gallant Gentlemen engaged in the profession of arms. He was not without hope that the noble Lord at the head of the Administration would have followed the example of the Governments of Lords Grey and Melbourne, of which he was so distinguished a Member, and commenced with proposing a great reduction in all the departments of the national expenditure. Lord Melbourne had pursued that course, and with so much success that the expenditure for public purposes was brought below 8,000,000*l.* less than the proposed expenditure for the present year. The estimates for the present year exceeded those of last year in every department. It had been stated a few evenings before by the right hon. Gentleman the Secretary to the Admiralty, that at the present time there were but 20,000 regular soldiers in Great Britain. The hon. Gentleman must have paid very little attention to the condition of the army, or he could not have made such a statement. He would state to the House the numerical strength of the Army at the present time as compared with former periods; and he would feel obliged if the Secretary at War would state some valid reason for the great increase. The number of men for whom they were now called on to vote estimates, amounted to 138,895 officers and men; artillery, 12,392; and marines on shore (included in another estimate), 6,500; making an entire force of 157,787 men. There were, in addition, the Irish police, than whom there was not a finer body of men in the world, 10,000; and pensioners as efficient as any portion of the British army, 10,000 more; making a regular army of 177,787. There were in India, 34,970. He did not know how many there were in the colonies; but in January, 1845, there were 38,000, to which he would add 5,000 more; thus leaving for the colonies 43,000, and for Ireland 34,000, making 107,000, which, if deducted from the grand total before mentioned, would leave a regular force of 77,787 men in Great Britain. There were in addition other forces which could be brought into active service at almost a moment's notice, viz., 13,000 militia, 14,000 yeomanry, and the whole body of the London police. There were also the out-pensioners of the Army and Navy, 65,000 and the half-pay officers, 5,300, making altogether 98,000 men. A large portion of that force he thought could render most efficient service, and might be got into readiness, and by reason of the great facilities of communication, and transported to any portion of the coast, to repel an invasion by the French or other foreign Power, should such attempt be made. He saw no reason why this great increase in the Army might not be reduced to the extent of 20,000 men. [Admiral NAPIER: No, no.] The hon. and gallant Admiral might say "No, no," and shake his head; but perhaps he would explain the necessity for the immense increase in the Army and Navy, as compared with the years 1835, 1836, and 1837. It was his intention to propose a reduction of 20,000 men in the present estimate, and that would leave 34,200 men more than in the years 1835, 1836, and 1837. The Archbishop of Dublin— [Admiral NAPIER: Hear!] The hon. and gallant Admiral might laugh; but he begged to assure him that the right rev. Prelate was a person of great distinction, and one to whose opinion much weight ought to attach. The Archbishop of Dublin had stated in his speech a few months ago, at the celebration of the Manchester Athenæum, that every common soldier cost the country as much as would suffice for the maintenance of a schoolmaster, and the education of 100 children. He would propose to reduce the Life Guards from 6,008 to 5,000, and to reduce the Foot Guards by 2,630. He calculated that the Horse Guards cost the country, including horses and accoutrements, 130*l.* each; but, supposing the sum smaller, the reducing their numbers by 1,008 would save 105,000*l.* per annum. The actual cost of 2,630 Foot Guards was 105,452*l.* The cost of the whole reduction would amount to 210,492*l.* The amount saved would amount to a sum sufficient to pay 5,250 schoolmasters at 40*l.* a year each, and thus afford the advantages of education to one-half of the principalities of England and Wales. He was sure Her Majesty would prefer dispensing with some portion of her guards, whose only occupation appeared to be idling about. The pensions paid in the Army and Navy at present exceeded 3,702,000*l.*, a considerable portion of which was expended upon persons who had rendered very little services to the State. He was the last man in the world to oppose the payment of pensions to those who served their country; but he certainly objected to pensioning the host of general officers who worked their way up through the Foot Guards. He had been informed that two-thirds of the general officers worked their way up in that manner. With regard to widows and children, he would maintain in respectability every person who had lost his life in the public service. [*Great laughter.*] If hon. Gentlemen would hear him out, and not laugh until he had finished, he would explain his meaning, which was, that he would handsomely provide for the widows and children of those who might have lost their lives in the public service. But perhaps hon. Gentlemen were not aware of the many heavy charges upon the fund appropriated to that purpose. There were belonging to the Army 2,862 widows and children; of the Navy, 2,587; and of the Ordnance, 445; making 5,894 dependent for support upon the public. He could not propose any reduction under the head of such pensions; but he did think that 20,000 men might be reduced from the service, and still leave a force efficient for every purpose that might be required of them. Bearing in mind the distress which prevailed in Ireland, in Scotland, and in the manufacturing distress of England, he could not refrain from urging upon the Government the expediency of making the reduction he suggested.

MR. BROTHERTON said, if ever there was a period when it would be well to economise the time of the House, the present was that period. Under this impresion, he rose merely for the purpose of protesting against the invasion of the rules of Parliament, by discussing questions with the Speaker in the chair, which ought to be discussed in Committee. However desirous he and other hon. Members might be to procure a reduction in the Army, he was sure they could never arrive at such a result by pursuing their present course. He hoped, therefore, the House would not complain if he moved at Twelve o'clock that the House adjourn, or the Committee report progress. He objected to these irregular discussions, and he hoped they would at once go into Committee, and then proceed with the business.

House in Committee of Supply.

MR. F. MAULE said, it would not have been possible for him, in the ordinary course of affairs, to have read his hon. Friend the Member for Coventry (Mr. Williams) the lecture which he had just received from his hon. Friend the Member for Salford (Mr. Brotherton); but he trusted the hon. Member for Coventry would not quarrel with him (Mr. F. Maule) if he stated it as his opinion, that the House should be much indebted to the hon. Member for Salford for what he had just said. And he must add, it certainly would be much more convenient to discuss the several topics to which the hon. Member for Coventry had alluded, as they should arise on the various votes, than that the hon. Member should have made a statement mixing up together the Army, the Navy, and the Ordnance, English and Irish police, and the Archbishop of Dublin, rendering it almost impossible for any man who had the individual charge of those estimates to separate one from the other. The hon. Member for Montrose had stated that there was this year a decrease in the vote for the effective service, but a large increase in the non-effective service: that was so; but the hon. Member should recollect that he had himself been at least an accessary after the fact to that increase in the non-effective service, for he was one who had assented as cordially as any hon. Member in that House to the remission of the charge which had formerly been carried to the credit of the public of 50,000*l.* for poundage on pensions, to the extent of which sum, and somewhat more, the charge for the non-effective services had certainly been increased. But passing from matters not immediately connected with the statement he was about to make, and not taking upon himself to enter upon any questions of the general policy, he would proceed at once to make, as succinctly as possible, the usual financial statement of the military affairs of this country. He thought he should best consult the convenience of the Committee, if he applied himself immediately to the estimates before the House, and afterwards alluded generally to those topics of military interest on which the Committee might think it desirable to be informed. With reference to the estimates, it would appear that the number of men to be voted in the aggregate for the ensuing year, was 138,895, the gross charge for which was 5,155,848*l.*; the gross non-effective charge for the ensuing year was 2,175,227*l.*, making a total charge of 7,331,075*l.* From that, however, must be deducted the cost defrayed by the East India Company for 30,497 men, amounting to 978,211*l.*; the amount of appropriations in aid of the land forces in the United Kingdom and the colonies, amounting to 53,375*l.*; the balance from the Royal Military College of 17,033*l.*; a small appropriation from the Royal Military Asylum and Hibernian School of 245*l.* There was also to be deducted the appropriation in aid on the non-effective service of 7,137*l.*, which made a total reduction from the effective and non-effective services of 1,056,001*l.* The gross total, then, to be provided for the ensuing year was 6,275,074*l.*, and the total number of men was 108,398. The first vote which he should propose was for that number of men, being the number considered necessary for the public service during the ensuing year, and being a decrease on the number voted last year of 210 men. He might, therefore, fairly state to his hon. Friend, that, as far as this vote went, the services of the two years were nearly identical. There were, however, some changes in the arrangement of that number of men, which he thought it necessary to allude to. There was a decrease in the strength of regiments coming from foreign service, five of which would shortly arrive. Those regiments had hitherto consisted of 1,000 men each: when they reached this country their strength would be reduced to 800; and that, together with a reduction in the number of non-commissioned officers, and another small reduction of 36 men, made a reduction of 1,111 men. Increases, however, had been made in other quarters to the amount of 901 men, which left, as he had already stated, the number now proposed less by 210 than the number taken last year. As the mode in which these increases were proposed to be made, involved a principle, he would at once state it to the Committee as briefly and as explicitly as possible. It was proposed to raise a body of 682 men, inclusive of officers, for the service of the garrison at Hong Kong, and to add that body to the Ceylon corps. In adopting that mode of providing for the service of Hong Kong, they proposed to act upon the principle which had formerly been discussed in that House, and of which he had a very high opinion—of employing, wherever they could with efficiency and safety, colonial corps, for the purpose of protecting our colonial possessions. That plan was not only more economical in point of administration, but it was infinitely more so on a much more essential point, viz., the preservation of the health of our troops. Instead, therefore, of keeping British troops at Hong Kong, where, he was sorry to say, many brave men had fallen a prey to the diseases incident to that climate, it was proposed to withdraw the garrison at present stationed there, and to supply its place with a corresponding number of men natives of those districts from which the Ceylon corps were raised. Another increase—the first, but he feared not the last that would have to be proposed—was to the Cape corps, to which had already been added two companies, or 174 men. But Sir H. Pottinger had been instructed to make greater additions to that corps; and he might state, that it was in contemplation still further to consider the means of providing for the defence of the extended frontier of that colony. Now, the hon. Member for Coventry had spoken of proposing a reduction of 20,000 men in the Army. For his part, if he thought they could spare 20,000 men, without any reference to the defences of the country, but simply with reference to the general operation of relieving regiments from time to time, he should be glad to make it. But his firm belief was, that if they intended to relieve their regiments at any thing like proper intervals—if they wanted to have them constituted of soldiers maintaining the dignity and supporting the interests of this country, and not to make their soldiers exiles from their native shores for an indefinite period of time, they could not accede to the proposition of the hon. Member. He would now state to what an extent they had brought the system of relieving regiments. He believed there was—or rather, he should say, there would be—after the arrival of one, which was now on its way here, no regiment which had been in India above fourteen years and a half; and he believed there was no regiment in this country which had been at home more than four years. He hoped, in course of time—for it was only by time that such arrangements could be accomplished—to reduce the longest period of absence of any regiment from this country to something not much exceeding thirteen years. With these observations, he passed to the next vote—the charge for the land force in the ensuing year. On that charge there was, he was happy to say, a decrease of expense to the public—owing to the appropriations in aid having amounted to so large a sum—of 44,151*l.* He was, however, bound to admit, in reference to this vote, that had it not been for the appropriations in aid, there would appear an increase upon the vote of 7,716*l.*; but as it stood, in consequence of the appropriations in aid, there was a decrease on the vote of 44,151*l.* The next vote to which he came, was the vote for the expenses of staff, &c., and on that vote there was an increase of 8,343*l.*; but that increase was principally occasioned by charges caused abroad, amongst which were to be included the increased force sent to the Cape of Good Hope from this country; and he thought that the Committee would admit, with him, that in all those unfortunate wars, such as that at the Cape of Good Hope—they might term them little wars if they liked—the worst way of proceeding was by doing, as sometimes had been done, namely, endeavouring to settle them in a little way. Such a proceeding was calculated, and would be calculated, particularly in the case of the occurrences at the Cape of Good Hope, to lead eventually to additional expense; whilst the effect of sending such reinforcements as we had sent of men and officers, was, that a movement had taken place by the British troops in that colony which had completely paralysed the Kaffers, who were in arms against us, and laid the foundation of a strong hope that the next accounts from that colony would be of submission on the part of the Kaffers, and of a preparation on our part to secure the frontier which we had established, and withdrawing some of our troops. He hoped that the Committee would permit him to pay a passing testimony to the gallantry of our troops in that colony—no corps of which troops had been more distinguished by its conduct than the Colonial Corps, and Colonel Somerset, who mainly directed its operations. The increase of reinforcements was one cause of the increase of 8,443*l.* in the vote for the Staff. The next vote to which he would direct passing attention, was the vote for the expenses of the public department, which showed an increase of 2,093*l.*; but that increase would be sufficiently explained when he stated, that it was caused entirely by an increase in the amount of postage, thus showing an increase in the work which those in that department were called upon to perform. The next vote to which he came was, the charge for military asylums; the charge for this year being 17,633*l.*, and that for last year being 14,062; thus leaving an increase of 3,571*l.* on the vote of this year; but then it ought to be calculated that there were 2,000*l.* additional incurred in furtherance of the new system of education which it was proposed to establish at the Royal Military Asylum.

He would enter more into the subject of the new system of education hereafter; and, therefore, he did not feel it necessary on that occasion to say any more with respect to it. The next vote was for the volunteer corps, which, having been out for exercise last year more than in former years, caused an increase of 3,939*l.*, as compared with the vote of last year. There was in the estimates of last year a vote of 36,500*l.* for what were called unprovided services, which vote was not to be proposed this year, as it was thought better that the provision for these services should be made in the coming year as the occasion for them arrived, so that the effective service votes were reduced in that respect by 36,500*l.*; from which, if they took the various increases of 17,936*l*, would leave 18,564*l.* decrease; the total decrease in the land force expense being 63,715*l.* on the effective services for this year. He now came to the votes for the non-effective service; or, as it was commonly called, the dead-weight on those estimates. The hon. Member for Montrose had stated, that there was a considerable increase on the votes for those services this year; and he stated, also, that he had observed a steady increase in every vote under certain heads; but he believed that the hon. Member did not look at those estimates with that care which he usually bestowed on such subjects; for scarcely any item in these non-effective service estimates could be compared to the items in similar estimates last year, as the votes for last year were only taken for three-quarters of the year, whilst the votes for this year were taken for four quarters. It had been deemed right to audit these accounts by the same conditions as those which were applied to the accounts of the Navy estimates; and for that purpose only three-quarters were taken in many of the votes for the non-effective service last year, whilst the four quarters of the year were taken in the present votes. The first vote to which he came in the non-effective service was, the vote under the head "rewards for military services," a vote on which there was an apparent increase this year of 3,740*l.*; but the charge last year, if the four quarters had been included, would have been for this vote of 16,079*l.*, whilst for the four quarters of this year it was but 15,740*l.*, so that there was a decrease on this vote for this year of 339*l.* This was a vote, the object of which was to reward distinguished services and good behaviour in the men, and distinguished services on the part of the officers of the Army; and he was sure that all those who were interested in the Army would rather hope to see those rewards go on; and in reference to that subject he had the gratification of being able to state that this year there were given 1,040*l.* as rewards to meritorious non-commissioned officers, in annuities of 10*l.* to 20*l.* each, as the reward of their services. The next vote to which he came was the vote under the head of "pay of general offices," which vote showed an increase of 33,000*l.* over the vote for the same purpose last year; but it should be recollected that there were included in that sum 17,000*l.*, the expenses of the brevet, whilst there should be deducted from it, as compared with the vote of last year, a sum of 16,000*l.* for the quarter, which was not charged in the vote of last year. The brevet, he was happy to say, did not include the higher ranks of the Army only, but also went to the lower ranks; and if it did not, he (Mr. F. Maule) would say that it would not have been sufficient. Seeing, therefore, what the brevet had been, he did not think that the sum of 17,000*l.* would be looked upon by the House or the country as a sum which they would grudge to the Army, considering what sort of an army we had. The next vote to which he came was the vote for the "full pay for retired officers," which showed an apparent increase of 13,000*l.* over the last year; but if the whole four quarters of last year were taken into calculation, it showed a sum of 61,000*l.* as against 59,000*l.* for this year, being a reduction of 2,000*l.* He now came to the vote for half-pay and military allowances; and he held in his hand a paper which showed the state of that vote in 1830, as compared with its amount in 1847, by which it appeared that there had been a gradual decrease in the amount of the vote; for whilst the vote for that purpose was 720,000*l.* in 1830, it was but 420,000*l.* for this year. There was an apparent increase of 94,000*l.* on that vote for this year; but if the uncharged quarter were added to the vote of last year, it would make 108,000*l.*, thus showing an actual decrease in the vote for this year of 14,000*l.* The vote to which he would next direct the attention of the Committee was the vote for "foreign half-pay," which showed a decrease of 1,145*l.* compared with last year. The vote last year was 50,281*l.*, whilst this year it was

49,136*l.* He now came to the vote for "widows' pensions," which showed an apparent increase for this year of 27,659*l.*; but if there were added to the vote of last year 34,619*l.*, it would make 138,819*l.*, which, compared with 131,859*l.* for this year, would show a decrease on the vote of this year of 6,960*l.* The amount of the vote for widows' pensions in 1830 was 145,000*l.*, whilst in 1847 it was 131,859*l.*, which showed that the expense had decreased since 1830. He now came to the vote for "compassionate allowance," on which there was an apparent increase of 16,000*l.*; but the amount last year for the four quarters, one quarter having been omitted, would have been 102,000*l.*, whilst the sum for this year was but 98,000*l.*, thus showing an absolute decrease of 4,000*l.* as compared to last year. The amount of this vote in 1830 was 185,000*l.*, as compared with 95,000*l.* this year, so that it was evident the decrease was going on in this vote also. The vote for the expenses of Chelsea and Kilmainham showed an increase of 1,973*l.*; the vote to out-pensioners this year was 45,382*l.*, whilst the charge for those on the establishments named was 1,236,752*l.*, as compared with 1,191,350*l.* last year. It was necessary to give some explanation of that, as there were 961 men less on the out-pension list for this year than for last year, so that there would have been a reduction if it had not been for other indispensable charges this year. The first item in the increase of the vote was one which the House had admitted, namely, 50,000*l.*, the charge for poundage to the out-pensioners, which had been relinquished; then there was a charge of 2,387*l.* for the organization of the Chelsea pensioners, 6,000*l.* for organizing the body that were about to proceed to New Zealand, an organization the object of which was twofold. A body of 500 pensioners were to be sent out to New Zealand, with certain advantages to which he would allude more fully at a future period: they were to be placed in our settlements, and after a certain residence in their localities, they were to be made settlers; whilst in the mean time they would be found productive of very great advantage in the defence of the colonists, and this would be effected by the proposed plan at a moderate expense. All these additions should be taken into consideration when looking at the increase of 45,382*l.* The vote for "superannuated allowances" showed an apparent increase of 9,000*l.*; but if the omitted quarter were added to the vote of last year, it would be found that the real estimate of last year was exactly the same as the amount of the estimate of this year. Those were the details of the votes for the non-effective service of this year, the gross increase in the votes for that service being 254,391*l.* for this year; but against that there should be taken into calculation the quarters omitted from several votes last year, which would leave an increase of only 35,911*l.* on the non-effective votes; and if that were compared with the diminution on the effective force estimates of 62,000*l.*, in round numbers, it would show a decrease in the service of this year of upwards of 26,000*l.*; and he would say, therefore, that when they considered the 50,000*l.* poundage, the 17,000*l.* expenses of the brevet, and the sum for the additional day in next year, it being leap-year, they would admit that every attention had been paid to economy in the preparation of the votes. He felt it necessary to allude to an observation of the hon. Member for Montrose, who said, he believed accidentally, that the object of every department was to make its estimates as high as possible. He (Mr. F. Maule) could only say, that so far as the department with which he was connected was concerned, the principle which was acted upon was to make the estimates as low as possible consistently with the public interests; and if his hon. Friend the Member for Montrose would consult those who were paid through that department, or who sought anything through that department, he would find a different character of it from them. He had now stated the sums which it was calculated would be required for the public service of the country during the ensuing year; and with regard to the efficiency of the Army, he would not say one word more than that the efficiency of the British Army was now such as it always had been, and as he trusted it always would be. He had already stated the condition of the British Army as respected reliefs; and the returns which he had before him showed that great improvements had been made, with a view of preserving the health of our troops. By improving the stations of our troops in the West Indies where it was required, and placing barracks in better situations in some islands, and supplying black troops for certain duties in unhealthy places, as well as providing black pioneers to do some duties, he believed the mortality in the

West India Islands, with the exception of a portion, had been reduced 1 3-10ths per cent. The colonies were divided into healthy and unhealthy stations. In the Mediterranean, from the year 1830 to the year 1846, the mortality was 1 3-10ths per cent; whereas in the twenty years preceding, in amounted to 2 per cent. In the Bermudas, Nova Scotia, Canada, and Newfoundland, the mortality was 1 3-10ths per cent; while during the period antecedent to 1830, it reached 2 1-10th per cent. In New South Wales, Van Diemen's Land, and the Cape of Good Hope, it was 1 4-10ths per cent; and was very nearly the same at the period preceding 1830. In St. Helena, the Mauritius, and Jamaica, the mortality since 1836 had been 1 9-10ths per cent, or 19 in every 1,000; whereas prior to 1836 it had been 91 in every 1,000. This diminution had been brought about by the substitution, particularly in Jamaica, of fresh meat for salt meat in the rations, and by the alterations which had been made in the barracks of the troops. In the unhealthy stations, including the rest of the West Indies and Ceylon, he was in a condition to state, that though the mortality was greater than could be wished, being 4 4-10ths per cent, it was much less than it had been, as the mortality had mounted as high as 7 4-10ths per cent; and he hoped that by substituting at Hong Kong colonial troops for British troops, we should have less mortality there than was the case at present. He was sorry that he could not hold out the same expectations with regard to India; for, as his right hon. Friend opposite well knew, he had little means of controlling the mortality which took place among the troops in that country. That mortality, he regretted to state, was increasing to a very considerable extent. The fact was known to none better than to the noble Lord (Viscount Hardinge), who formerly filled the situation which he (Mr. F. Maule) now held, and now exercised supreme command over India; and he hoped that when that noble Lord's mind was a little more at liberty to turn itself to such questions, he would direct his attention to a subject which he heard had long occupied his thoughts; and that before the noble Lord retraced his steps homewards, he would devise some means of promoting the health of the troops in India, by erecting barracks in the highlands of Madras and Bombay, and the ranges of the Himalaya mountains. He was quite sure that till something of that nature was undertaken, there could be no possible hope of reducing the present rate of mortality amongst the military in India. There was another question on which he had to beg the attention of the Committee, and that was on the subject of the moral training now going on in the Army. He had taken a vote of 2,000*l.* for the establishment of normal and model schools at the Royal Military Asylum. The Government proposed also to establish other model schools, upon which the regimental schools should be modelled, and also infant schools for the orphans and children of British soldiers. This plan he had found left him as a legacy by his right hon. Friend (Mr. S. Herbert) who had preceded him in office—a plan which did him infinite credit, and for being the author of which he was sure that, in the course of a very few years, the Army would look back to the right hon. Gentleman (Mr. S. Herbert) with gratitude. He believed that by following out this plan, we should not only achieve a good education for the children of the soldiery, but for the soldiers themselves, which would enable them, after their period of service was over, to do something for themselves. He was happy also in being able to state, that libraries were increasing gradually and progressively. This year there had been an increase of 10,000 volumes in the libraries of the Army; and he intended to ask for a vote of 2,000*l.* for the purpose of further augmenting them. With regard to the discipline of the Army, he had only to say that it was in such a state as to cause him much satisfaction. From the month of July up to the close of the past year, there had been only five instances of corporal punishment; and he might venture to say that as the system of secondary punishment became perfect, he should expect to see the practice of corporal punishment die away altogether. With respect to military prisons, he might say that they were working as well as could be possibly wished. There were now established nine of these buildings in Great Britain and Ireland: four in England, four in Ireland, and one in Scotland. From all of these, the reports received from the governors of the prisons were most satisfactory. The effect upon the morals of the soldiers by placing them in military prisons, was stated to be very great. They were freed from the danger of contamination in a civil gaol, and this was felt to be one of the greatest boons conferred on the Army. The report stated that soldiers upon their return from these military prisons were almost immediately fit for duty, whereas formerly it was weeks and months before they were fit for it. He was glad to say that there was no instance of any soldier in these prisons having been injured in his mind, and it was found that their feelings had been softened, and that they often were reformed; whereas under the whole regime they never came out of prison better than they went in, and often came out much worse. The labour performed in these prisons was certainly severe. Complaints were made against it; but he was not disposed to attend to them, provided he found it did no injury to the prisoners. The labour was so severe, and so strict was the discipline, that no temptation was held out to the soldier to shirk his duty for the purpose of getting into these prisons; and he believed that no one came out of them without entertaining a hearty intention at the time to do the best he could not to get in again. These were the essential points to which he wished to refer on the present occasion. There were various other particulars to which the attention of the Government would be turned, in order to improve the condition of the soldier. His hon. Friend the Clerk of the Ordnance would ask for a vote of 5,000*l.* for the establishment of washhouses. The Government were disposed to watch over the welfare of the soldier in every particular; and as proofs of that disposition he might refer to their having proposed and carried through the House the restitution, as he might call it, of 50,000*l.* a year, which was formerly charged as poundage upon the pensions of old soldiers, and the proposal which he had had the pleasure of laying before the House for limiting the period of service. This, he thought, would show what were the feelings of the Government towards the Army, and how they had attended to their interests. He believed that the more care we took of the soldier in time of peace, and the more we trained him in those habits which made him a good citizen, the more serviceable he would be found in time of need. He hoped also that we should train him in those maxims and habits of economy which it was the object and the duty of the Government to encourage, and induce the people of this country to look on the Army, not as a refuge for the outcasts of society, but as an honourable profession, in which they might encourage their children to embark, with the expectation of receiving them, after their period of service had expired, improved in every way, and with their morals duly and properly attended to. With these observations he begged leave to propose the first Vote on the Paper, namely, that the number of officers non-commissioned officers, and rank and file, maintained for the service of the United Kingdom (exclusive of the troops in the East Indies), be 108,398 men.

MR. W. WILLIAMS observed, that it was almost the first time since he had had a seat in that House, that he had heard estimates in which there was hardly an item that wanted explanation. He had mentioned his intention of proposing a reduction of 20,000 men; but upon consulting his Friends about him, he found so little encouragement that he did not intend to press his Motion.

SIR DE LACY EVANS said, that the disposition evinced by the Government to promote the health and moral training of the troops, gave him great satisfaction. To give full scope to these efforts of the Government, and to do full justice to commanding officers, he should venture to suggest the establishment of discipline companies. Many of the foreign armies were obliged to resort to that expedient. With regard to the barracks of the men, he begged leave to remind his right hon. Friend, that the accommodation of many of the barracks was still exceedingly defective. In many barracks there was not more than one foot between each of the beds, and he hoped that a much larger vote would be taken for this purpose. Indeed, he thought the vote ought to be doubled or trebled.

MR. S. HERBERT rose chiefly to express his gratification at the manner in which the improvements effected in the social state of the Army had been carried out by his right hon. Friend. With respect to the subject of the education of the Army, to which his right hon. Friend had alluded, in a manner very gratifying to himself, he felt that it could not have fallen into more zealous and more able hands than those of his right hon. Friend. He ventured, however, to throw out for the consideration of his right hon. Friend, whether the system of education in the normal schools at Chelsea might not be carried still further, by inducing some system of examination for promotion from the lower ranks. He should be glad also to see greater theoretical acquirements among the officers. He was happy to find that the moral state of the Army was very much improved. He believed that with reference to punishments, during the last ten years there had been a very large diminution; and what was a still better test, the number of trials in the Army had been greatly reduced. It might be seen also, that a spirit of thought and providence in the Army was beginning to exist, which would no doubt lead to very desirable results. The system introduced by Lord Howick, in 1836, was the foundation of the present system of rewards in the Army; and he did not think that the Army was indebted to any one so much as it was to the noble Lord for that plan. He had endeavoured to carry out that system further; and his right hon. Friend (Mr. F. Maule) had entered into all these plans with so much earnestness, and had given so much attention to the subject, that there was reason to hope that we might soon see the Army in a very superior state.

Mr. EWART was disappointed at the vote on account of education, which was only 9,000*l.* He hoped that the attention of Government would be directed to the subject. With respect to the savings banks, he regretted to find that the sum of 2,000*l.* was all that was charged for this branch. So small a sum spoke little for that frugality which it was so desirable to inculcate in the Army. The right hon. Gentlemen had spoken of the theoretical education of officers. He thought if these officers had something given them to do in country quarters it would be advisable. He considered that our officers were the least intellectual, compared with other officers, throughout Europe, and it would be better if something was done to afford them more employment than they had at present.

Mr. GOULBURN quite agreed with all the encomiums which had been passed upon the statement of the right hon. Gentleman opposite. There was but one point on which he would remark. In alluding to the colonial corps, the right hon. Gentleman had expressed a hope, that the employment of such bodies would become more general in our settlements abroad. Now, as what had fallen from the right hon. Gentleman on the point, might be held to imply the opinion that there should be a general introduction of colonial corps, he felt bound to take every opportunity of protesting against any such principle. In cases where the regular soldiers were found not to be able to bear the severity of any particular climate, then it might be advisable that native corps should be employed. But he objected to the general principle of employing colonial corps instead of portions of the regular Army. He held it to be most advisable that the military defenders of any colony ought to form a part of the Imperial Army, and to partake in the dignity of being constituent portions of the Army of Great Britain.

Vote agreed to, as were several other Votes.

On the Question that the Chairman do report progress,

Sir DE LACY EVANS said, it having been announced that the Government intended to give some distinctive mark of honour to the officers who served in the Peninsula, he wished to know whether it was intended to give them to the survivors only, or also to the families of deceased officers? His own impression was, that it should be given to the survivors only; but it was a subject on which he could scarcely venture to offer an opinion. He wished, however, to call the attention of the Government to the circumstance, that there were still living some of those who served at Trafalgar, and to state that he should be ashamed to bring forward the claims of the Army, without recommending, at the same time, the claims of those who performed such glorious services at Trafalgar. He still hoped the Government would not forget them. He would also take the opportunity of making a personal allusion. It would be recollected, that last year the noble Lord recommended to Her Majesty to appoint the son of General Nott to a living, and that Her Majesty did so to the great satisfaction of that House and the country. Now, it so happened, that the last words written by that gallant hero, Lord Nelson, was a recommendation of his adopted daughter to the care and protection of the country. He had not the slightest knowledge of that lady, but he understood she was married to a highly-esteemed clergyman of the Church of England, who had but a small provision in his profession, which he (Sir De L. Evans) now mentioned for the noble Lord's consideration; and in the hope that, although this lady had been so discreditably neglected by the Government of the day, the present Government would take an early opportunity of doing as much for her husband, as they had so properly done for the son of General Nott.

Lord JOHN RUSSELL said, he had stated before, that it was very difficult for

Her Majesty's Government to entertain a question which had already been considered and decided upon by their predecessors. The aspect of the measure had, however, been altered of late years by the medals given for services in India and China; and it was natural to suppose that the Peninsular veterans, when they saw others decorated with marks of honour, might feel dissatisfied if similar badges of distinction were refused to them. With this view, Her Majesty's Ministers felt it their duty to advise Her Majesty, that medals should be granted to the soldiers of the Peninsula. It seemed to them, that it would be the best way to confine the grant of medals to persons present at actions on account of which medals had formerly been given to officers of certain rank and standing, and which the Sovereign had thus at the time pointed out to be actions deserving of rewards. They determined, therefore, to restrict this reward to those of our soldiers and non-commissioned officers who had been present in such actions. That was the principle which had determined the Government in agreeing to confer this mark of distinction. With respect to the Navy, it was expected by those who had participated in the triumphs of that service, that there should be some similar distinction given to it. On consideration the subject was found to be full of difficulty. The battle of Trafalgar was hardly a fair case to take by way of illustration; for, whereas the Army had no opportunity of encountering any considerable enemy except during the later period of the war, the naval service had been greatly distinguished during the earlier part of the war, and after 1805 there there was hardly any enemy to contend with it. It was, therefore, necessary for the Government of this country to consider the services of the Navy at a much earlier time than those of the Army, they having had priority of time with respect to their actual occurrence. In coming to a decision with respect to a reward for the service of the Navy, the same general principle had been observed as in the other case. It was agreed to take those actions only for which particular medals had been given; and the First Lord of the Admiralty had tendered advice to the Crown upon that principle. It was impossible to make any distribution of rewards for services so long past, upon any principle which should not leave out some distinguished and celebrated officers; but it had been deemed best to select the principle he had stated, and take as the basis actions of which the importance had been previously recognised. With respect to the latter part of the gallant Officer's observations, he was not aware of the circumstance to which he alluded, and therefore could make no remark on the subject. The medals would take some time in preparation, but they would be issued as soon as they were ready.

Sir R. PEEL asked whether or no the Government had come to any decision with respect to the erection of some public monument to the memory of Sir Robert Sale, Sir Robert Dick, and the officers of the rank of Colonel, who had fallen in the glorious battles of Ferozeshah and Sobraon.

Lord JOHN RUSSELL said, they had come to no final decision the subject. He understood it had been the decision of the former Government that there should be a monument which should at the same time celebrate the different officers who had thus fallen. It seemed to him that this would be the best plan to adopt.

Sir R. PEEL thought, instead of having a separate statue for each, it would be best to have some public record of the two battles, which should commemorate the actions, and at the same time to have a separate medallion for the specific services performed at each battle.

Sir C. NAPIER complained that, as medals were to be given for services in India and China, as well as for the battles of the last war, none were to be assigned to the seamen and officers who had served in the Syrian campaign. There was a very strong feeling among those who had shared its labours and perils, as to the justice of such a concession. He did not think there was anything particularly wonderful in the capture of Saint John d'Acre; but it could not be denied that the taking of so strong a fortress by a British squadron was a very gallant achievement. Why should not the Mediterranean squadron be rewarded in the same way as the others?

Lord J. RUSSELL admitted that the services to which the hon. and gallant Admiral referred, had been of a very brilliant and distinguished character; but there had been services, not inferior, performed at Algiers and Navarino, which, if those of Acre were to be so rewarded, must likewise have medals.

Sir C. NAPIER quite agreed with the noble Lord, and ventured to say with respect to the battle of Algiers, that there was not an action fought during the whole war which was superior to it. The Admiral on that occasion, with five or six sail of the line, attacked one of the strongest places in the world; and he believed that scarcely any other man in the Navy would have done what Lord Exmouth did on that occasion. As to the action of Navarino, that was fought under very different circumstances; but no one could deny that the British commander had done his duty well.

House resumed.

DRAINAGE.

SIR G. GREY, in moving for leave to bring in a Bill to amend the Act 9 and 10 Victoria, cap. 101, authorizing the advance of public money for the improvement of land by drainage, explained that it was proposed for the purpose of extending the objects to which money lent in terms of the Drainage Act of last year might be applied. Where there was a large seaboard, it was found impossible for the proprietors to raise means for the purpose of rendering the drainage effectual, and the land safe by enclosure and the formation of proper outfalls. He proposed to retain the proviso of the Act of last Session, that the land improved should be liable to an annual charge for twenty-two years; but a provision would be introduced, limiting the amount of the advances to individual proprietors; for it would be seen that some very large demands had been made under the Act of last Session, and a great desire existed to reduce the extent of such demands within moderate bounds. It was proposed, that when applications were made for advances, certificates should be issued by the Enclosure Commissioners for such an amount as in their opinion could properly be expended within three years, and that the parties should have no claim to the use of what was left unexpended at the end of that period.

Leave given. Bill brought in and read a first time.

ARMY ENLISTMENT.

MR. F. MAULE moved for leave to bring in a Bill for limiting the time of service in the Army. He had stated the other night, that it was not his intention to enter into any details of this Bill; these he should leave to the second reading. He might mention, that the period named in the Bill, was ten years for the infantry, and twelve years for the cavalry and artillery.

MR. HINDLEY hoped, that more time would be given to persons who enlisted, to think of the step they had taken, and suggested that twenty-four hours might be given to them to consider whether they would enter the Army or not. He had known persons in a state of drunkenness for twenty-four hours.

MR. F. MAULE could assure the hon. Gentleman, that the authorities would do what they could to discountenance such practices; where parties were not in possession of their right senses, it could hardly be considered an enlistment at all.

Leave given.

House adjourned at Twelve o'clock.

HOUSE OF LORDS,

Tuesday, March 2, 1847.

MINUTES.] PETITIONS PRESENTED. By the Duke of Richmond, from Guardians of the Henstead Union, for the Abolition of the present Law of Settlement, and for the Enactment of other Measures in lieu thereof; and from the Forres Agricultural Meeting, against the proposed Reduction of Duty on Colonial Spirits, unless accompanied by a Corresponding Reduction of Duty on Malt used in making Malt Spirits.—By the Duke of Richmond, from Enniscorthy, for the Amendment of the Poor Relief (Ireland) Act, by Equalizing the Payment of Poor's Rates over the entire of each Union.—From the Grand Jury of the County of Wicklow, assembled at Spring Assizes, 1847, that Steps may be immediately taken for Stimulating the application of Capital to the Promotion of Irish Railways.

POOR REMOVAL ACT.

The DUKE of RICHMOND moved for the appointment of a Select Committee to inquire into the operation of the Poor Removal Act of last Session (the 9th and 10th Vict. cap. 66). As he did not think there was any probability of the House refusing to accede to the Motion, he would only very shortly state the grounds which induced him to call their Lordships' attention to the subject. Their Lordships were aware that there was an Act entitled the "Poor Removal Act," which passed through Parliament last year, and which received the Royal Assent on the 26th of August. It so happened that this Act had been framed in such a manner that it was hardly possible to find two men who could agree as to how it should be carried out. It had been avowed by those who framed the Bill, that the construction which had since been put upon the first clause of it by Her Majesty's Attorney and Solicitor General was one which they did not anticipate. The fact was, that the clause stated that persons who had resided for five years within a parish, although they had not a parish settlement, could not be removed from such a parish, provided that the time during which they had been in gaol, in hospital, in a lunatic asylum, or received relief, was not computed as part of the five years. Now, the Attorney and Solicitor General had given it as their opinion that the first part of the clause was retrospective, but that the proviso was not retrospective. The consequence had been that throughout all the boards of guardians in the country, there was great difference of opinion as to how the Act should be obeyed; and he believed that if the Act remained in force unexplained, it would produce litigation to an endless extent. If, for instance, the auditor should entertain a contrary opinion to that of the Attorney and Solicitor General, he might disallow the relief given, and that could only be rectified by removing the case by *certiorari* to the Court of Queen's Bench; and he was afraid, from the extent of business before that court, that a decision could not be come to for some time. Then there would be appeals from the quarter-sessions, whichever way the cases were decided there; and those also would have to come before the Court of Queen's Bench. In these circumstances he thought that a Committee of Inquiry to look into the matter, and report as to its working, was most desirable. He had stated upon a former occasion, and he now repeated, that the Act had been most unjust to the ratepayers, and highly prejudicial to the poor, and especially to that portion of the poor who were entitled to the most favourable consideration of their Lordships. The Act had, indeed, been drawn in the most clumsy way imaginable; and the cause of this and similar Acts being allowed to pass in this clumsy form was, that they were generally brought up to their Lordships' House at the end of the Session, when most of their Lordships had gone into the country, and when, even if they were all there, not one tithe of the measures then presented to them could be properly considered. He did not give any opinion of his own as to the construction of this Act; he grounded his Motion for a Committee solely upon the fact of the difference of opinion which prevailed on the subject, and upon the universal feeling which existed that Parliament could not meet together without either repealing the Act, or passing a declaratory Act stating what it meant.

The Marquess of LANSDOWNE thought, and he believed the House would think, that the noble Duke had laid before their Lordships good parliamentary grounds for inquiry. Undoubtedly there were great doubts as to the operation of the Act; and it was right that those doubts should be removed as early as possible. The noble Duke was, perhaps, aware that a Committee had been appointed on the subject by the other House of Parliament, and that they had already presented a special report on the law of settlement. Whether the noble Duke had seen that report, and whether, having seen it, he was still disposed to think that another Committee was necessary, he could not say; but at all events, it would be convenient that it should be communicated to their Lordships.

Lord BROUGHAM said, he found that the Act to which the noble Duke had referred, received the Royal Assent on the 26th of August. Now, who could expect that at the 26th of August, or for fourteen or sixteen days preceding, any very deliberate attention would be given to the subject of pauper removals, when so many of their Lordships were busy with removals of a totally different description—removals, not from one parish to another, but from one state of being to another—from the Legislature to the larder. Late, however, as was the last Session when the Poor Removal Bill passed, it was not the last Act passed during the last Session, for he found that 117 Public and General Acts were passed, 402 Local and Personal Acts, and 51 Private Acts; the amount of their legislative labours last Session having ended in no less than 570 new laws, the greater part of which were brought into that House for the superintending care of that most truly legislative portion of the Legislature, the Upper House of Parliament, just when they were breaking up. It was not surprising that so much doubt should have arisen as to the construction of one of the number; for Acts of Parliament now-a-days were made up in so slovenly a way, that no human power could tell their meaning. The draught often ran, "as is hereinbefore provided," when nothing was provided, and you found such expressions as "the aforesaid" so and so, when nothing was aforesaid. And why? Because they were done in a hurry, and with the scissors. The framer of a Bill cut out with his scissors a clause from one Act, and a clause from another, and did not cut out the relative clauses. Of that every man was aware, who had been called upon to examine Acts of Parliament, and very much of the time of courts of common law, as well as of the quarter-sessions, where they had not the same advantages for the explanation of laws, was consumed in reconciling their inconsistencies. So that one might very well say, as Lord Tenterden said, when he found it impossible to construe an Act of Parliament, though that was a matter of every-day occurrence in the court over which he presided, " We cannot say that a Legislature is *inops consilii*, but we may truly say that it is *magnas inter opes inops;*" and he (Lord Brougham) believed that every one who heard his Lordship's observation was aware that it was not more pungent than true. A remedy for these evils might probably be found in a plan submitted by a committee of the Law Amendment Society to the late Lord Chancellor and First Lord of the Treasury, for giving to a board the power, not of superseding, but assisting the Legislature, and each of the Members of the Legislature, in forming Acts of Parliament, so that they should not be drawn as one man might now draw them, without looking to any other Act; but every other Act on the subject should be consulted. To this plan the late Lord Chancellor and First Lord of the Treasury had promised to give their most earnest attention; and he should furnish his noble Friend on the Woolsack and the noble Lord in the other House with a copy of the report in which it was contained, hoping that as they had succeeded to the offices lately filled by those to whom he had alluded, they would also have succeeded to the attention which they had promised to show to the plan he advocated. Before sitting down, he wished to set an hon. and learned Friend of his right on a point connected with the subject which had given rise to this discussion. Allusions had been made elsewhere to an opinion delivered by Mr. Hill, which had led to a somewhat incorrect statement of the course of conduct pursued by that gentleman professionally. The opinion of Mr. Hill had been taken about thirteen months ago, long before it became the subject of public mention, and before the controversy arose with respect to the conduct of the Poor Law Commissioners. A case had been laid before him in the usual way by an attorney for his opinion; and he in the usual way gave an answer to that case. Mr. Hill was called upon to say what in his opinion, as a lawyer, was the right and legal construction of an Act of Parliament; and he had given his opinion. In that opinion it was needless to say, whether Lord Lyndhurst and himself concurred or not; he (Lord Brougham) would only say that, in a statement which came before them, they entirely concurred in that opinion. The subject had come before them in a totally different way; and they had given their opinion privately as to the construction of the Act in reference to the conduct of the Poor Law Commissioners. Every one knew that the slightest difference in the facts might considerably alter a lawyer's opinion upon a case; but upon the facts stated to him, Mr. Hill had written the opinion in question, and given it to his client. Mr. Hill had not the slightest idea that it would be made public; for aught he knew, it might have been asked for by the very parties themselves, the Commissioners or their secretary. For aught he (Lord Brougham) knew, it was; he was not at all sure that it was not. It was said that Mr. Hill had taken a great deal upon him; but a man could not do less, when asked for his opinion, than state what in his opinion the law wos. Mr. Hill might have been asked, were the Commissioners justified in what they had done? and he might have answered no; but he had given his opinion in a much less peremptory and decisive manner, and one not at all dogmatic. When the Poor Law Amendment Act passed in 1834, Mr. Hill was Member for Hull, and instead of being the adversary of the measure, was its strenuous supporter, and had not all along changed his opinion upon that question. As a lawyer he was bound to give the opinion he had given.

Lord CAMPBELL was sure that the vindication of his friend, Mr. Hill, offered by his noble and learned Friend opposite, was most complete, and that the conduct of that gentleman had been perfectly correct. Upon the merits of the question before their Lordships, he most heartily concurred in the propriety of granting the Committee.

Lord BEAUMONT thought the great mistake of the Act was, that it did not give a settlement in the parish where the person was resident. It prevented persons resident for a certain length of time in a parish from being removed, but it did not give a settlement; and in consequence of this, the evils suggested by his noble Friend opposite had arisen. It was right in principle, but it did not go far enough.

Lord CAMPBELL agreed that it would have been better, if the Act had gone farther; but it could not be carried farther, because the country was not prepared for it.

Motion agreed to. Committee appointed.

IRISH RAILWAYS.

EARL FITZWILLIAM rose to present the petition of which he had given notice from the Grand Jury of the county of Wicklow, praying that their Lordships would take some measures to stimulate the employment of labour in Ireland, and the encouragement of the construction of railways in that country. The noble Earl said, he would not enter upon any long discussion of the subject to which the petition related. He would take that opportunity of addressing a few words to their Lordships upon the state in which Ireland appeared to him to stand as regarded the measures of relief adopted by Government; and he would entreat of them to consider whether or not they seemed fully adequate for the crisis when viewed in relation to the circumstances he would endeavour to lay before them. The whole rental of Ireland was said to be about 13,000,000*l.* The loss consequent on the failure of the potato crop was taken at 16,000,000*l.*; but he believed that was an under-estimate of the real amount. When the House came to consider the actual loss of farming and agricultural stock in connexion with that failure, and when they came to reflect on the destruction of cattle, horses, pigs, and poultry (which were of much more importance in Ireland than they were in this country), they would perhaps hold him justified in thinking it could not possibly be less than 24,000,000*l.* sterling. Now the whole rental of England was assumed to be somewhere about 85,000,000*l.* Would their Lordships then just think for one moment on the effect which the destruction of between 90,000,000*l.* and 100,000,000*l.* of agricultural and farming stock must necessarily produce in this country. That was the point of view in which their Lordships and the country ought to regard this question, and it was that very view which English gentlemen were not disposed to take. They thought the evil had been exaggerated. Their opinion seemed to be that the danger of the crisis had been exaggerated; that it was only temporary, and would soon and entirely pass away. A plan had been suggested, and brought forward in the other House of Parliament, the merits of which he would not pretend to discuss; but he was strongly of opinion that the Legislature was called on to take some steps to remedy an evil which was of the greatest moment in Ireland, namely, the want of steady and continuous employment. He would refer their Lordships to the second report of the Railway Commissioners of Ireland on this point, who, in speaking of the general condition of the people, declared it to be their conviction, that the great cause of the poverty of the country was "the want of continuous employment." Now he certainly did not think the institution of railway works would have been an effectual substitute for the works which had been going on in Ireland for the last six months: but he did believe they might not be improperly substituted when those works had been brought to a close. Much calumny and obloquy had been heaped most undeservedly on the system of public works, by persons who had not duly considered their ultimate effects. The great benefit they had effected consisted in the fact that they had employed the people during a period of great distress, and had relieved us from the necessity (to which we should have been otherwise exposed) of affording gratuitous relief to between 500,000 and 600,000 persons. Now that this system was about to pass away, it would be well to consider what would be the best substitute for it, and to take some steps to make Ireland a better machine for the employment and development of capital. Considered in a material point of view, every country was but a machine to effect those objects for those who inhabited it; and that was the most perfectly constituted which carried them out to the largest extent. It was true that in this country many works of great importance, which were frequently looked upon as public works, had in truth been constructed by individuals and by private bodies; but if they looked to the Continent, they would see that great public works were undertaken by the Governments of the respective countries. They were told that Ireland should be left to herself for the execution of such public works, and that in time English capital would flow into Ireland to foster and stimulate it; but their Lordships might depend on it, that if they waited for that day, and if they refused to stir till English capital flowed into Ireland, they would first see the ruin of the latter country. England had done and was doing much in the way of charity towards Ireland. She had done quite as much, and perhaps more, than they could have expected; but he feared that she had not roused herself sufficiently to the necessity which existed for doing more than she had done for the permanent improvement of Ireland. In the way of direct improvement for the country at large, they heard of nothing more being done by Parliament than a loan of 1,500,000*l.* He did not wish to undervalue that loan, but neither did he think it was at all desirable to overlook it. And he feared a disposition existed in and out of the House to do so. Every Irish landlord was looking, they were told, for his portion of the loan. He did not think it was exceedingly likely; but if the assertion were true, had any noble Lord calculated how much this loan of 1,500,000*l.* would be per acre on the whole area of Ireland? Why, it would be just about 19*d.* an acre. That individuals would derive benefit from the loan—that the lucky men in the lottery would be enabled to improve their estates, he had not the smallest doubt; but then these advantages would be enjoyed by individuals merely, and would not be extended to the country at large. Now, that was the object to which they should look; and as far as the operations under the loan were concerned, he was strongly of opinion that those who would derive most benefit from it, were precisely the persons who stood least in need of it. A man in bad circumstances would not venture on borrowing any money under the loan. [The Marquess of LANSDOWNE: Why not?] He was about coming to that question, and to show why he made the statement. The mortgages, rent charges, and incumbrances on the landed property of Ireland, were calculated at no less than 70*l.* per cent on the land of the whole country. To avoid any exaggeration, he would take it at 60*l.* per cent on the land, and proceed to consider how an embarrassed landlord would be affected by the loan. He would take the case of an individual possessing 20,000 acres of land, producing a rental of 10,000*l.* a year, on which there were charges to the amount of 6,000*l.*, which would leave him a clear rent of 4,000*l.* Now he would ask any noble Lord at all acquainted with agricultural affairs—and there were many then present—whether it would make much impression on his property of 20,000 acres, if this individual were to borrow less than 10,000*l.* of the loan? He knew any less sum would make very little impression on the condition of such an estate. If, then, the landlord were to borrow 10,000*l.*, he immediately became subject to a charge or annual payment—whether interest or sinking fund he did not care—of 650*l.* a year. He wished to know if any prudent man, with an income of 4,000*l.* clear from 20,000 acres, would for the purpose of improving his land, borrow 10,000*l.*, which subjected him to such a payment? To justify him in doing so, the improvement to be derived from the loan should be immediate; but, under the circumstances, it could only be prospective. Surely no prudent man would borrow under such circumstances. He believed the Irish landlords much more prudent than the press of this country would allow; and in making that remark he wished to say a few words as to charges which had been generally made against that body. One heard it said everywhere, what had the Irish landlords ever proposed for Ireland? What had that Gentleman, who was the great type of Ireland, ever proposed? He would put in a plea for Irish gentlemen, in reply to those observations. He would answer and say, that the Irish Gentlemen had proposed the best thing which had been suggested for Ireland during the last six months. They had proposed the substitution of a system of reproductive for unproductive works; and fortunate would it have been for them and for us, if the form of the Bill under which the public works were carried on, would have admitted of the suggestion. In fact, so far from having suggested nothing, the Irish Gentlemen were really the only persons who had suggested anything available. They had also suggested the introduction of railways. There might be objections, to be sure, to such a system—there might be much jobbing—there certainly would be some jobbing—where such an immense body of men, in fact an army in everything but discipline, as was observed by a noble Friend of his, were engaged; but there were also unquestionable advantages from it, and, whatever the merits of the plan, the Irish Gentlemen had suggested it. He thought, too, the Irigh resident gentlemen had been actuated by high views in suggesting that public works should be carried out on a large scale. That would be the proper spirit in which to conduct them, for they might rely on it that a small scale was not up to the mark of this great exigency. They also heard it said, that the advances to be made to Ireland would not be repaid. That was not the opinion of the Board of Works—that was not the opinion of those best acquainted with the country. There was really a great deal of injustice abroad on this subject. What was the statement made by the Commissioners of Public Works in their report in 1837, in reference to the loans made under 57th Geo. III. some years before. Speaking of these loans they said, "that repayment is made with great regularity, and had failed only in a few cases." The amount of the loan to which this report referred, as well as he could recollect, was about 500,000*l.* or 600,000*l.*; and the few cases of non-payment showed the advantages of the loan. Indeed, there could be no question, as he conceived, with respect to the benefits of advances, and he would adduce a few facts on the subject. He had been told that since the construction of roads in the county of Galway, the customs duties had been increased to an amount he was afraid to mention. Again, in the western part of Mayo, there was a place called Blacksod Bay, which was one of the finest harbours in the world; but some years back it was scarcely known. A grant was made for the construction of a fishing pier. Previous to its erection there was no trade whatever at the village or the bay, nor did it contain a single store or private dwelling. In the first year the pier gave sufficient encouragement to a merchant to come and settle there; and though he had difficulty in getting a cargo for some time, there was now a regular export of 600 tons of grain from the port, and nine large stores and several private houses in a place which so lately as 1837 contained neither. These advances were peculiarly suited to the condition of Ireland, and she stood in need of such aid. There never was a greater mistake than to cry up Ireland as the richest country in the world. That was an error which had been promulgated by a little Irish vanity, and credited by a great deal of English credulity. Their Lordships might depend on it, that there was no land in Ireland at all equal to the good rich lands of England. He had that on the best authority—on the authority of an eminent geologist who had travelled through Ireland, the Dean of Westminster. [Lord BROUGHAM: Oh, he only looked below the surface.] He would venture to say that "the Golden Vale of Tipperary," of which they all had heard, was not more fertile than the vales of most of the rivers of England, and was not as fertile as many of them. But the question was not the richness of some particular tract of a single county, but the average value of the whole surface of Ireland. He had travelled in Ireland—in the south of Ireland, as his noble Friend behind him inquired—and he would venture to say, looking at it on the broad, that there was no comparison in point of richness of soil between Ireland and this country. Let them mark how much of her surface was covered with mountains and water, and, even in fertile spots, incumbered with rocks and stones. [The Marquess of CLANRICARDE: What did they do in England, when there were rocks and stones there too?] They never had been there. As a geologist he affirmed that, and would be prepared to dispute the matter with the noble Lord. The rocks were never scattered over the surface of this country, as they were in Ireland. That was a certain fact. England, the richest country in the world, had to deal with a member of her empire which was by no means rich. Would she, then, leave it neglected and uncared for, or would she, by the development of public works, endeavour at least to raise it in a certain degree up to the level of the more favoured parts of the empire? His opinion was, that they should take the latter course. The mode in which they should do so, it was not for him to point out; but he was perfectly satisfied, that if they thought they could get over this present difficulty by a charity of 8,000,000*l.* or 9,000,000*l.*, large as that sum sounded, they would only have a prolongation of those scenes of desolation and distress from which the country would never revive.

LORD BROUGHAM begged to say, in reply to some observations of the noble Lord which seemed to apply to him, that he never objected to advances properly made, but that he certainly did object to the wholesale nature of the present measures.

EARL GREY said, the observations of the noble Lord who had just spoken, made it necessary for him to say a few words in reply. In the first place, when the noble Earl declared that 1,500,000*l.* was altogether inadequate to work any great improvement in the state of the country, he (Earl Grey) admitted if they were only to look to that single measure, it would be decidedly inadequate to meet all the exigencies of the case; but though he thought it an extremely important measure, and likely to have a very beneficial effect in enabling landed proprietors to improve their estates, particularly by promoting drainage, which was most likely, as he thought, to answer in Ireland, still there were other and more important measures for the improvement of that country; and if he were to say to which of them he looked most in connexion with that object, he should certainly mention that which would be prepared by his noble Friend on the Woolsack for facilitating the sale of encumbered estates. In the very case of a man with 10,000*l.*, of which 6,000*l.* was encumbered (quoted by the noble Earl), according to this Bill it was plain that by selling a portion of his estates, to clear off that sum, he could obtain an accession of real income, and be enabled to improve the remainder of his property, as well as relieve himself of all charges upon it. Besides that, land would then be brought into the market, which the owner of capital might buy up with a view to improvement. And though the noble Earl said Ireland was so poor, he (Earl Grey) believed there was a vast amount of capital in that country, of which people were not aware, and which only required to be called out by the exercise of some such measure. He, therefore, looked to it with more hope than to advances of money. The noble Lord had pointed out the great advantages which had arisen, in some instances, from public works having been undertaken in Ireland. He (Earl Grey) had never heard it doubted that much benefit resulted from those measures; but when the noble Lord alluded to them, he scarcely was aware that the Acts by which money had been advanced for such works were still in existence, and that it was intended to improve and simplify them by the measures of Government this Session. The public works as to the improvement of the Shannon Navigation, under one of these Acts, were now in progress, and likely to be attended with the most beneficial effects. But he could not help thinking, that one very dangerous fallacy ran through the whole of his noble Friend's speech. It was that Ireland was to look to England and to the English Government for assistance, instead of relying on itself. He did not believe there was any more dangerous delusion than that a country should trust to the assistance of Government as its sole means of progress. To what did this country owe its wealth? To persevering industry, to the gradual accumulation of small saving, and to the continual application of capital from generation to generation, not by governments, but by private individuals, for the promotion of various works of permanent improvement. He was inclined to dispute the opinion so confidently laid down by his noble Friend, that Ireland was a far less fertile country than this; and he should be prepared to establish that such was not the case, from the most trustworthy accounts and the highest authorities. He had not himself had the advantage of visiting Ireland, except for a very short time, and he had not gone through the country in the manner in which his noble Friend stated he had done. He regretted exceedingly to hear that his noble Friend had not read Professor Kane's work. He earnestly entreated him to read that Professor's treatise *On the Industrial Resources of Ireland*, in which that gentleman proved how great they were, and how much might be accomplished by improvements. His noble Friend was, he thought, mistaken in supposing that no part of this country had been covered with rocks. He could point out Northumberland, in England, and a vast extent of country in Scotland, which had been cleared of vast blocks of rock. It was by the untiring industry of the inhabitants of this country and of Scotland —by the application of the capital derived from their own savings, that the wealth of Great Britain had been created; and it was by similar means only that Ireland could hope to raise herself. No doubt England should be prepared to give Ireland a helping hand; but the utmost that could be done by this country was as nothing compared to what must be done by the Irish proprietors, and by the working classes, if they expected the country to be ever raised from its present lamentable condition. He must say, therefore, he heard with great regret the tone of utter dependence on England which pervaded his noble Friend's speech. If England did not exist, did his noble Friend mean to say that Ireland could not raise herself to wealth? It was a libel on human nature to say so. Ireland wanted nothing but regular industry well applied, economy and perseverance, to become—in proportion to her extent—as rich a country as England. He did trust that her inhabitants would, at the present time, look, as their main reliance, not for the assistance of England, but to their own exertions.

Lord MONTEAGLE was ready to concur in much that had fallen from his noble Friend (Earl Grey), if applied to ordinary times and to ordinary circumstances. No one was more ready than himself to assert and to inculcate the doctrines of labour, industry, and self-reliance, as indispensable in Ireland. But the present time, and the present calamity, were exceptions to all ordinary rules. His noble Friend who presented the petition now before the House, so far from exaggerating, had greatly understated his case. The loss by the potato blight in Ireland had been estimated by competent judges at 16,000,000*l.* The rateable value of property in Ireland was somewhat above 13,000,000*l.* The rated property of England and Wales was, in 1841, 85,000,000*l.*; and at the present time probably approached 100,000,000*l.* Supposing a loss sustained in this country of the food of the people, to the extent of 100,000,000*l.* or 110,000,000*l.*, would it not be a mere delusion to believe that this deficiency could be met by the ordinary labour and frugality of the people, or by the ordinary assistance of local rates? The State, as in 1795 and 1800, must and ought to interfere. Even in ordinary times cases were known to exist in which great national works were admitted to require national aid, if their usefulness were unquestioned, and if they could not be constructed otherwise. Parliament had acted, and had acted wisely, on this principle. He would take Scotland as an example. How much had been effected by the Commission for Highland Roads and Bridges? Public grants had been made, not to supersede, but to stimulate and to guide private efforts. Nor had these works been sanctioned to meet any temporary calamity, but as forming part of a permanent system. And what was the result? Why, the late Mr. Telford had given it as his opinion before a Select Committee, that the parliamentary grants for the Highlands had been the means of advancing those districts more than a century in improvement. Therefore, he could refer both to the reason of the case, and to actual experiment, in support of his noble Friend's (Earl Fitzwilliam's) proposal. But, he would again ask, would not Parliament have been called on to interfere if a loss of agricultural produce had been sustained equal to one year and a half's rated rental? Most assuredly it would. He regretted that his noble Friend (Earl Grey) had so pointedly named the English Parliament, and the English Treasury, as the authorities to which Ireland had to look for relief. Those were dangerous words to hear used. It was not to the English, but to the Imperial Parliament, to which the appeal was made. In that Parliament Ireland had her full right to consideration, as an integral part of the empire. It was not from the English Treasury that Ireland sought for aid; it was from the Imperial Treasury, to which the taxation of Ireland largely contributed. On that Parliament, and on that Treasury, the Irish had as unquestionable claims as any who trode the soil or breathed the air of England. In one respect, indeed, he most willingly admitted, that the people of England, in their individual capacities, had been appealed to; and most nobly, most generously, had they answered the call. The appeal was made to their never-failing sympathy for distress, and to their ready spirit of self-sacrifice in relieving it. This, too, had been done under circumstances the most discouraging. All that could have been done, he would not say by malignity, but by perverse ingenuity, systematically applied, to damp and check the innate humanity of the people of England, had been tried, but had been tried in vain. But the divine flame of Christian charity was not to be so extinguished. All the cold-blooded writing, all the cruel scorn, all the falsehoods which had been employed for this one bad object—first, denying, then, underrating, and then affecting to consider the calamity as one to which private charity was inapplicable—the whole of this wicked sophistry had failed in its object; and they had seen a tide of sympathy as well as of wealth flow from Great Britain into Ireland, which he trusted would not be undervalued, and which he was convinced ought never to be forgotten. His noble Friend (Earl Fitzwilliam) had, with his characteristic courage, ventured on a defence of that most unfortunate concern—the Labour-rate Act. He seemed to think that it had been somewhat unfairly depreciated. This he denied. A more miserable failure had never taken place in legislation. But his noble Friend was not very logical in his encomium; for, at the same moment that he praised this measure—condemned as it was by Mr. Labouchere's letter—condemned as it was by the very measures Parliament was discussing—he frankly stated, that the most useful suggestion offered by any party, was that which proceeded from the Irish Gentlemen, who advocated the substitution of productive for unproductive works. But unproductive work was the very essence of the Labour-rate Act. How then could his noble Friend praise the Act itself, and yet praise a recommendation which was its very opposite? He must choose between the one and the other as an object of encomium; he could not, with any accuracy or consistency, endeavour to combine the two. Again, his noble Friend had said, that the evils of the Labour-rate Act had not been foreseen or predicted, and therefore that the Government could not justly be blamed if the measure had failed. In this point, again, he must differ from him, and refer him to the very accurate register of Parliamentary debates,* where he would find that all the now-admitted evils of the Labour-rate Act had been anticipated in that House of Parliament. The consequences of wasting the national resources on unproductive labour, and, above all, the necessary tendency of the measure—the fatal introduction of out-door relief to the able-bodied poor—were there also accurately, though ineffectually, described. But though he differed from his noble Friend in these points, he entirely agreed with him in the main argument, which there had been no attempt made to deny or to answer. They were now employing 600,000 a day in Ireland; they were now expending one million a month. They were called on to abandon the system. Had they provided an adequate substitute? Would a loan of one million and a half to a system of soup-kitchens, provide for the multitude of labourers, and the dependent members of their families? It was equal to no more than six weeks' support, even if brought into immediate operation. But this immediate change could not by possibility be made. It ought to be remembered also, that an expenditure of one million on the waste lands of Ireland had been proposed. Now, if that measure were either withdrawn or defeated in another place, the remedial means of the Government, inadequate as he considered them to be, even if accepted, would fall short of the intentions and estimates of their framers by the amount of the million. That million would consequently require to be applied in some other measure. The House and the public might rely upon it, the proposed measures would not carry Ireland through her struggle, or even support her in her transition state, in passing from one class of remedies to another. The measures recommended in the petition before the House, tended to produce that effect; and he therefore earnestly supported them. Without some such remedy, the Government would of necessity be driven back upon presentment works and the Labour-rate Act. Already he saw notifications of renewed sessions throughout Ireland. He ventured to predict the continuance of these measures and all their ill consequences, with as full a conviction as when he had addressed their Lordships on the 25th of last August. The event, he felt certain, would justify his prediction.

Petition read, and ordered to lie on the Table.

House adjourned.

HOUSE OF COMMONS,

Tuesday, March 2, 1847.

MINUTES.] PUBLIC BILLS.—1° Juvenile Offenders.

PETITIONS PRESENTED. By Sir T. Acland, from Crediton, against the Roman Catholic Relief Bill.—By Sir J. Hanmer, from Hull, and Mr. Forster, from Liverpool, for Reduction of Lighthouse Dues.—By Sir H. Campbell, from Berwickshire, against the proposed Measures respecting Sugar and Rum.—By Sir J. Hanmer, from Hull, for Reduction of Duty on Tea.—By Mr. Hudson, from Inhabitants of Wibsey, for Repeal of Anatomy Act.—By Sir J. Hanmer, from Charles Robert Cotton, a Magistrate, in the County of Chester, for Alteration of Law respecting Extra-parochial Places.—By Mr. Mitchell, from Joseph Tite, of Clenham Fetherbury (Dorset), in Favour of the Ten Hours Factories Bill.—By Mr. McCarthy, from Cork, for Assimilating the Municipal Corporations (Ireland) Act to that of England.—By Mr. G. Hamilton, from Donnybrook, for Alteration in Poor Law (Ireland).—By Mr. Ainsworth, from the Guardians of the Poor Law Union, Bolton, for an efficient Poor Law (Ireland).—By Mr. Bankes and other Hon. Members, from several places, for Repeal or Alteration of the Poor Removal Act.—By Sir H. Campbell, from Trustees or Commissioners of Eyemouth Harbour, against the Ports, Harbours, &c. Bill (1846).—By Mr. M. Bell, from the Newcastle and Berwick Railway Company, against the Railways Bill.—By Sir J. Hanmer, from the Chamber of Commerce, Hull, against laying the Burden on the Revenue for the Relief to Ireland.—By Mr. Bankes and other Hon. Members, from several places, for Alteration of Law of Settlement.—By Sir W. Clay, from Hackney, for Inquiry respecting the Tower Hamlets Commission of Sewers.

CULTIVATION OF THE LAND (IRELAND).

MR. D. BROWNE wished to put two questions to the Secretary for Ireland. The right hon. Gentleman stated a short time ago, that in the county of Mayo, an illegal combination had been formed to prevent the cultivation of the land. He had lately received several communications from that county in reference to this statement; one of them denied that any such combination existed, affirming, on the contrary, that the people were most anxious to cultivate the land, but they had not seed for the purpose. He wished to ask the right hon. Gentleman on what authority he made his statement, and who were the parties by whom the communication was made to him. He also asked whether the Government intended to furnish a supply of seed, or establish seed depôts in Ireland, provided the landlord became security for the repaying the cost?

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* Hansard, Third Series, Vol. lxxxviii. p. 1004.

MR. LABOUCHERE said, he had not stated that an organized combination to prevent the cultivation of the soil prevailed generally in Mayo, but he had reason to believe that, partially, there was such a combination; he had made the statement on information received from a source on which he could rely. His correspondent added, too, that the spirit, if not checked, was likely to spread; he had, therefore, thought it his duty to state his opinion with respect to it to the House. But perhaps the best answer he could give the hon. Gentleman would be to read the communication itself *in extenso;* the House would excuse him for not giving the name of the writer; he was a person holding an official situation, and on whose authority he could place entire reliance. The letter was dated Feb. 9, 1847:—

> "Sir—I regret being obliged to state, that to add to the misfortunes of this district, a systematic and organized plan is fast gaining ground amongst the small farmers and cottier tenants, not to sow the lands this spring; and, even had they a sufficiency of seed, I am inclined to think they would suffer the land to lie waste rather than cultivate it. Unfortunately, 19 out of 20 of the holdings in this county are occupied by the above description of persons. Various causes have tended to produce this result. I principally attribute it to the facility with which this class obtain employment upon the public works, frequently to the exclusion of the really destitute, who have no land; added to which, mischievous individuals, and of a better class too, are impressing upon these poor creatures that the Government cannot allow them to starve, and that if they till their lands, the produce will not satisfy the landlord's claim for rent and arrears, together with the price of the seed, and that it is better for them to remain upon the public works, which they are told, and foolishly believe, are to have no end. A large body of men, amounting to about 200, some armed, traversed a portion of this district on Thursday night last, warning all those whom they visited not to attempt to till their lands this year; the same party, on the same night, robbed several houses of arms. Should this system be carried out to any extent, Mayo will become a perfect wilderness next year; the sheep and cattle are fast disappearing, the owners killing and using them, and the distress and the deaths, from want and destitution, very much on the increase. Upon the whole, the prospect for the coming year is lamentable and gloomy in the extreme."

Being in possession of information of this description, and the hon. Gentleman having called the attention of the Government to the condition of the county of Mayo, he thought he was not only justified, but imperatively called on, to state it to the House, and to urge those who had influence in that county to exert it in repressing this spirit, which it was obvious must lead to most lamentable results. He had reason to think that his having made that statement had not been without some effect; from communications received since he called attention to the subject, he trusted the notice taken of it would lead to the repression of the spirit that had partially, but not generally, prevailed. As to the measures the Government had taken for the distribution of a supply of seed, he had lately received a communication from a Member of the Irish Government which would enable him to answer the question; it stated—

> "We have found it perfectly impracticable to get a sufficient supply of corn for seed without serious interference with the markets; green crop seed alone, therefore, will be supplied: forms of application and notes of repayment have been prepared, and we are now ready to receive applications; the first arrivals have been expended this day."

EMIGRATION FROM IRELAND.

MR. ALDAM wished to call the attention of the Government to the distress of poor emigrants in Montreal, and to ask whether there was any check to the emigration of such poor persons from Ireland?

SIR G. GREY said, by the 6th and 7th Victoria, cap. 92, sec. 18, the guardians were empowered, subject to the regulations of the Commissioners, to be made with the consent of the Secretary of State for the Colonies, to assist any destitute poor person who had been three months an inmate of a workhouse, and who had been approved by the Commissioners, to emigrate to a British colony, subject to a limitation as to expense. The attention of the Commissioners having been directed to Mr. Buchanan's report, it appeared that the number and description of emigrants reported by Mr. Buchanan to have arrived at Quebec from three unions in the north of Ireland, in the ship *Belinda*, did not correspond with the number and description of persons who had been allowed by the Commissioners to emigrate. They, therefore, directed Mr. Senior, their assistant commissioner in Ireland, to make an inquiry into the facts; and they had obtained from him a list of the names and ages of the emigrants sent out from these three unions, including Coleraine. That return certainly did not support the statement that the emigrants sent out from that union were mostly old and sickly people, and helpless children. The following was the return:—

> "In Armagh Union, the number of children under 5 years of was 2; from 6 to 15 years, 7; of adults, between 15 and 30 years, 9; between 30 and 40, 2; between 40 and 50, 1; between 50 and 55, 1; total, 22. In Coleraine Union, children under 5 years, 17; from 6 to 15, 16; adults, between 15 and 30, 16; between 30 and 40, 6; between 40 and 50, 6; between 50 and 55, 1; total, 62; In Magherafelt Union, children under 5 years, none; from 6 to 15, 7; adults, between 15 and 30, 2; between 30 and 40, 1; between 40 and 50, 2; between 50 and 55, none; total, 12. Total number of children under 5, 19; from 6 to 15, 30; of adults, between 15 and 30, 27; between 30 and 40, 9; between 40 and 50, 9; between 50 and 55, 2. Grand total, 96."

The Commissioners said that they had not, in any of these cases, sanctioned the emigration of persons who could reasonably be supposed incapable of earning their support. Only two persons above 50 were sent out in the *Belinda* from these unions; and the proportion of children to adults did not seem unusually large.

JUSTICES OF LANCASTER.

Mr. T. DUNCOMBE, with reference to a notice of his which stood upon the Paper—

> "To call the attention of the House to the petitions from Warrington, complaining of the conduct of Messrs. Lyon and Stubbs, justices of the county of Lancaster, in the exercise of their summary jurisdiction, on the trial of four working men for leaving their employ"—

said, he had understood that this subject had been under the consideration of the Government, and he hoped that the result of that consideration would render it unnecessary for him to bring the subject before the House. The right hon. Baronet the Secretary of State for the Home Department would, perhaps, state what had been the result.

Sir G. GREY said, the subject had been considered, not with respect to the merits of the case, but with regard to the proceedings, which he understood were informal and invalid in law. The remedy given by the statute in such cases, by removal of the record of conviction into the Court of Queen's Bench, would be useless and inapplicable to this case; and, under the circumstances, he had deemed it his duty to quash the conviction.

Mr. T. DUNCOMBE said he was satisfied.

SITES FOR CHURCHES (SCOTLAND).

Mr. BOUVERIE rose for the purpose of moving—

> "That a Select Committee be appointed to inquire whether, and in what part of Scotland, and under what circumstances, large numbers of Her Majesty's subjects have been deprived of the means of religious worship by the refusal of certain proprietors to grant them sites for the erection of Churches."

The hon. Member began by referring, in terms of eulogy, to the manner in which this subject had been brought before the House on a former occasion by the late Mr. Maxwell Stewart. He considered that the claims for redress which that hon. Gentleman had advocated, and which he (Mr. Bouverie) now brought forward, were entitled to be heard, and, though he was a member of another Church, he strongly felt the injustice of the refusal. He interceded for the Free Church of Scotland, and was willing to grant to that Church what its members would be willing, if necessary, to grant to his Church. A great body of persons had left the Church of Scotland, influenced by a sense of duty—a call to assert a great principle, the assertion of which was essential to the welfare and prosperity of the religious body—he meant the independence of the religious society of civil control. He considered the right of self-government in matters ecclesiastical to be the true and right principle. He believed that the Church of England owed much of its inefficiency to the absence of this principle. They were about to discuss in that assembly, composed of members of all religious bodies, Roman Catholics, Presbyterians, Unitarians, and members of the Church of England, and other denominations, the propriety and advantage of adding a certain number of bishops to the English Church—a Church which was not the common Church of the Members of that House. Certain it was, that a large and influential body of persons in Scotland had thought it their duty, in compliance with their principles, to go out of the pale of the Church of Scotland; and events connected with the Free Church had proved that the expectations of those who thought the schism would be temporary, had not been well founded. That church had, in less than four years, collected for ecclesiastical purposes no less a sum than 1,254,000*l.* It had built 630 churches, and established a vast number of normal and other schools. These simple facts showed that those who had expected the healing of this great schism of the Scottish Church, were sure not to have their anticipations realized. This body, if they asked for a favour at the hands of the House, were entitled to ask it; but they asked no more than the justice to which they were fairly entitled. If they came to seek an addition to their means of promoting religious education, they would be justified in asking for inquiry, and had a right to a hearing from the House; and more especially when, in the deep and deplorable calamity of famine which prevailed in Scotland as well as in Ireland, he laid a special claim for consideration for the body whose case he brought forward. It was this body who were amongst the first to take steps to investigate the state of distress, to ascertain its nature, and to make efforts to relieve it, in Scotland. A reference to the papers which had been laid before the House on the subject of the distress in Scotland, would furnish the best proof of this fact. [The hon. Member read from page 212 of the printed correspondence a letter from the Lord Advocate to the Secretary of State, dated December 10, 1846.] He repeated, that if this body were seeking for a favour at the hands of the House, they had laid a good foundation for it; but they did not ask any such thing: they asked for simple justice—they claimed the full exercise of their religious rights and religious liberties, but not beyond what every subject of Her Majesty enjoyed. They alleged that their rights had been interfered with; that they had been prevented from the exercise of their religious worship; that they had been prohibited from building churches for that purpose. This was the grievance they urged upon the House; and they wished the House to inquire into the subject; and they claimed redress at its hands. It was his duty to urge upon the House three or four cases; and he would first call their attention to cases in which the property of the Duke of Buccleuch was concerned. In entering into this statement, he was not going to discuss the motives of individuals. He should abstain from every thing which could fairly give cause of offence to individuals. He was going only to deal with the public conduct of individuals; and, certainly, he could speak only with respect of the Duke of Buccleuch. He believed that the conduct of that noble person, in the performance of the important duties which belonged to his rank and position, had been most exemplary. But the Duke of Buccleuch was a man for all that; and he could not forget, that such persons as Archbishop Cranmer, and Calvin, had indulged in persecution. There were two cases in which the body had been interfered with upon the Duke of Buccleuch's property; one at Canobie, and the other at Wanloch Head, on the borders of Lanarkshire. At Canobie, the Duke of Buccleuch had been repeatedly applied to to grant a site for a church; and the conditions he had attached to his consent, amounted to nearly a prohibition of public worship altogether. At Wanloch Head, the population—mostly miners belonging to the lead mines—was about 700 persons, and seven-eighths of the whole belonged to the Free Church of Scotland. There the congregation had been compelled to meet in the air. They were, it was true, able for some time to erect a tent and meet there; but he believed that, for weeks, the tent having been damaged by the weather, they had, on Sundays, when the weather permitted, met in the open air; and on other Sundays they had been prevented from meeting for religious worship at all. The clergyman, who had left the Establishment at the time of the secession, and who was, like others, hardly allowed a resting place, his family residing thirty miles from the scene of his ministry, occupied a room nine feet square. The hon. Gentleman read a long extract descriptive of the great hardships endured by the congregations at these places, and went on to say that these were the two cases in which the Duke of Buccleuch was concerned. The Earl of Aberdeen, a Member of the late Government, however, had acted differently, and though an individual who at first was much afraid of encouraging this movement, yet when the movement had taken place he was one of the first to grant sites for churches to congregations of this persuasion. The Duke of Buccleuch, who was a dissenter, had erected, if report were correct, a chapel at Dalkeith, where he had the service performed in the strictest conformity with the liturgy of the Church of England. Now, he (Mr. Bouverie) could not help saying, that while the noble Duke was sitting in that chapel and listening to the service, if the noble Duke were but to contemplate the liberty he was then enjoying, he could not for a moment refrain from granting the request of the poor people of Canobie and Wanloch Head. This referred to the lowlands; he would now come to the highlands. In the lowlands it was well known that in very few cases one individual possessed large tracts of land; but in the highlands it was very different, for the majority of the proprietors there were proprietors of very large tracts of land; and if the Free Church did not get sites from these proprietors, they were practically prohibited from getting sites at all. On a large property belonging to Lord Macdonald, the noble Lord—for reasons best known to himself—had thought fit to refuse sites to these people. In a neighbouring district — in the district of Ardnamurchan, belonging to Sir J. Riddell, a property forty miles long and proportionally broad, where a large proportion of the population of the district, upwards of 1,100, belonged to the Free Church—Sir J. Riddell had refused, and still refused, these people, his fellow-countrymen, the means of building churches. In a large district on the other side of Scotland, in the vicinity of Strathspey, a similar refusal had been given. Also in another district, in the district of Harris, on the extreme west of Scotland, where some 4,000 people belonged to the Free Church, they had been obliged to perform their public worship in the open air. There was also another district in the island of Mull, the hardships the people of which had to undergo in the performance of their religious ceremonies, the hon. Gentleman read an account of. The hon. Member then resumed by stating, that these were some of the cases of the grievances of which he had to complain; and he trusted that the House would assent to his proposition, and that there were just grounds of complaint. But what were the consequences of this state of things? In the first place, a large body of the people were practically prohibited from meeting to worship their God according to their consciences; and, in the next place, there were all those exasperations which such treatment necessarily excited in the minds of those who were refused. He could not see any objection to granting sites, or divine the reasons for refusing them, more particularly as Lord Stair and others who had granted sites had never had reason to complain of disrespect from the people to whom they had so granted them. In most of the cases to which he had referred, the most fearful destitution existed; yet in those very districts where the poor people were undergoing severe suffering, they were practically prohibited from meeting together to ask God to alleviate their distress. All he asked for was a Committee of Inquiry, and he trusted he should then be able fully to substantiate the statements he had made, so as to give the greatest satisfaction even to the most minute particular. His right hon. Friend (Mr. Fox Maule) had proposed that compulsory power should be given in order to enable them to go before some judicial authority to obtain sites of land for churches; but he (Mr. Bouverie), only in the present instance, required a full inquiry. There were instances and precedents of the Legislature interfering in cases of this kind; for instance, the Legislature had interfered in the case of railways, concerning which the only reason given for taking possession of lands was, that "the public convenience requires it." Yet it was not in all cases the convenience of the whole commonwealth, but merely of a comparative few. But there were also stronger precedents even than these, which were cases where compensation was obliged to be given, cases which he could only denominate as being "*damnum sine injuriâ.*" He found, in an Act of Parliament passed two years ago, the "Metropolitan Building Act," a clause to the effect, that from and after January, 1846, it would not be lawful to let out any room of less dimensions than therein specified, or any room or rooms, being cellars, for the purpose of lodgings; and in which case no compensation was thought of, though every one knew that a large amount of property at that time was vested in cellars. In the same year there was also passed another Act, the "Enclosure Act." relative to which it was stated that the public health, the public advantage, and the public weal were concerned in having places of recreation for the population of towns; and a clause was inserted in that Bill, to the effect that when any common was enclosed, a part should be reserved for the amusement and recreation of the people. The question now came—since places had been found for the amusement and recreation of the people—were they not to find places for their education and religious worship? He would only mention one other instance, and that strictly in point: he did not pretend to an accurate knowledge of the laws of Scotland, but he believed that, on the formation of new parishes in Scotland, the Court of Session had the power of granting authority to reserve in some cases four acres of land upon which to build a manse for the clergyman of the parish. Now he could not see how any just distinction could be drawn in this matter; but, as he said before, he would not enter into the question of what was to be done; and he only trusted that in stating what he had to the House, he had done so calmly and succinctly. The hon. Gentleman concluded by submitting his Motion.

MR. EWART rose to second the Motion. He thought his hon. Friend had amply proved the existence of a grievance. It was no less a one than this, that a large portion of the subjects of Her Majesty in Scotland were deprived of the means of religious worship. If that were not a grievance, he did not know what they could call a social grievance. The next question was, whether by the Motion which his hon. Friend had made, he was likely to go any way in diminishing that grievance. Had his hon. Friend moved for leave to bring in a Bill, as had been done by the right hon. Gentleman the present Secretary at War, it might have been objected to by hon. Gentlemen, and it might be said, "You are at once interfering with property;" but his hon. Friend had two objects—the one was to inquire, and the other to expose. Now, inquiry and exposure were the objects of Parliamentary Committees. He would support the Motion of his hon. Friend the Member for Kilmarnock, for this reason if for no other, that the inquiries of the Select Committee would attract attention to the proceedings of such of the landed proprietors of Scotland as were disposed to push their authority to an undue extent. Some good would probably result from this, for they would be thus shamed into a toleration of religious freedom, which their too scrupulous tenets might otherwise prompt them to refrain from. Believing that the Motion was founded on the principles of justice and tolerance, he had great pleasure in seconding it.

SIR GEORGE GREY said, the subject to which his hon. Friend the Member for Kilmarnock had that evening invited the attention of the House, was one which on two former occasions had been brought under their consideration, and he had hoped that the discussions which took place on those occasions, and the opinions which had been expressed, would have produced such a beneficial effect as to render it wholly unnecessary for those who now applied for an inquiry, to make any further appeal to the Legislature for relief. He had hoped that the proprietors in Scotland—few in number—who refused to grant sites for churches to members of the Free Church, would have been influenced by the advice which was given them by persons whose opinions were deserving of the highest estimation, and that they would have been convinced of the propriety of no longer persevering in the course which formed the subject of complaint. He alluded particularly to the opinions which had been expressed by the right hon. Gentleman opposite, the late Secretary for the Home Department. When this question was first brought forward by his lamented Friend, Mr. Patrick Stewart, the right hon. Baronet declared his sorrow at hearing the statements which, on that occasion, were made, and expressed a hope that if, unhappily, they should prove to be true, some speedy remedy would be applied; and when, on the second occasion, the matter was brought before the House by the right hon. Gentleman the Member for Perth, who obtained leave to bring in a Bill on the subject, the right hon. Baronet, though declaring himself unfavourable to direct legislative interference, again emphatically repeated the opinions he had previously expressed. The whole spirit and tenor of his observations went to this point, that whatever course might have been justifiable in the early days of the secession, now that that secession had become clearly of a permanent character, and that all hope of a reunion had passed away, the continued refusal of proprietors who held in their hands extensive estates and large tracts of country in Scotland, to grant sites for churches to congregations of the Free Church, was a circumstance deeply to be implored as being directly opposed to the true principle of Christian toleration. In these sentiments, he entirely concurred. Time and reconsideration, he was glad to say, had had their effect on the Scottish proprietors in some instances. The cases of refusal to grant sites were certainly of less frequent occurrence now than they used to be. He was sorry that there were any cases of refusal at all. He could wish that there were none; but statements which had been made in that House and in the public journals, and which never had been contradicted, made it so evident as not to admit of dispute that there were still too often cases where congregations in connexion with the Free Church found it impossible to obtain sites on which to erect their places of worship. Though all hope of a reunion had long since passed away—though it was clear that the secession would be of permanent duration—and though many thousands of the population of Scotland were irrevocably attached to the principles of the Free Church, there were still extensive districts in which, owing to the continued refusal of certain landed proprietors, it was found impossible to erect an edifice wherein to worship God according to the dictates of their consciences. They were exposed to annoyances and grievances such as no other denominations of Christians dissenting from the Established Church were subject to. In this painful position his hon. Friend the Member for Kilmarnock came forward to apply, not for direct legislative interference, but for the appointment of a Select Committee to ascertain whether the statements in respect of this matter were well founded, and to inquire into the circumstances under which the complaints had originated. It had been asserted, on former occasions, not that sites had not been refused, but that there were excellent reasons to justify the refusal. If the fact were so, this was a point into which it would be the duty of the Committee carefully to inquire. It was much to be regretted that all proprietors in Scotland had not acted as the Earl of Aberdeen and others had done, who, opposed to the principles of the secession, no sooner saw that it was inevitable, than they yielded a ready compliance to any applications made to them for sites on the part of members of the Free Church. If, however, there were any good grounds for a contrary course, this would be ascertained by the inquiries of this Committee. It could not be questioned but that there were cases where members of the Free Church found it impossible to obtain sites for their places of worship; and it was only right that those who laboured under the imputation of giving unreasonable refusals to such applications, should be afforded an opportunity, which they would have by the appointment of a Committee, of showing, if they could, that they were justified in the course they had adopted. For these reasons, he, for one, was perfectly prepared to accede to the Motion of his hon. Friend. He did not think it necessary to express any opinion as to the ultimate legislative remedy to which his hon. Friend had adverted, nor to the analogy which the cases he had alluded to might be supposed to bear to the subject of his present complaint. It was enough for him that grievances were said to exist, affecting the religious liberty of a large proportion of the community in Scotland, possessing strong feelings of attachment towards their own religious community. It was enough that those grievances had been alleged and not denied, and that the inquiries of the Committee might result in a remedy for a state of things which must be admitted to be exceedingly distressing. He had hoped that religious bitterness and sectarian animosity were disappearing, under the genial influence of opinions more enlightened and feelings more generous. At first there might have been proprietors who could not bring themselves to believe that the secession would be of an enduring character, and who were (perhaps not unnaturally) unwilling to impart to it a permanent duration and prolonged vitality, by being too ready in giving sites for churches; but that expectation must have long since passed away. He did not wish to enter then into the discussion of whether the secession was necessary or not; they were not there to analyse or contrast the doctrinal principles of either of the Churches in Scotland. This much, however, he might be permitted to observe, that the secession was unquestionably a remarkable event, and a disinterested proceeding on the part of those engaged in it, and that therefore it could not fail to enlist sympathy even in quarters where the conviction of its necessity was not admitted. But there was one circumstance to which he must allude. Look at the time at which this Motion was brought forward. There was a very large district of Scotland which Providence had been pleased to afflict with a severe visitation. Want and destitution prevailed to a great extent in the western and northern parts of that country; and it was to be recorded to the honour of the very men who now applied to that House for relief, the members of the Free Church, that they knew no differences amongst their fellow-countrymen in this season of emergency, but joined heart and hand with Scotchmen of all denominations to mitigate the calamity under which their common country was suffering. At the meeting recently held at Edinburgh, they came forward with the most praiseworthy alacrity, and offered to put into a common stock the funds they had already collected amongst themselves of their own body. The happy consequence was, that there was now an united people in Scotland, and that men who differed widely on matters of church government, now met together for the first time since the secession, and co-operated zealously one with the other to feed the hungry, to clothe the naked, and to arrest the progress of famine and discase. At such a moment as this, therefore, the House should not refuse to listen to the statements of the hon. Member for Kilmarnock, or to attempt to remove a remaining source of discord and estrangement. He trusted that this year would not pass away without this cause of bitterness between the Established Church and the Free Church of Scotland having disappeared.

SIR R. H. INGLIS said, he should be unwilling to enter on the general subject without stating, in the first place, what he believed was the united feeling of the House as to the manner in which his hon. Friend the Member for Kilmarnock, in bringing forward this Motion, had contrived to combine most temperate, with, at the same time, a most feeling statement. He said this the more willingly, because he could not concur in the general object proposed by his hon. Friend, though he was compelled to admit that no proposition to which he had always been opposed, had ever, in his hearing, been brought forward in a manner more calculated to conciliate and disarm all opposition; but he must say that this was a very different proposition from that which was made to the House on this subject last year, by the right hon. Gentleman the present Secretary at War (Mr. Fox Maule). He did not object to the manner of the right hon. Gentleman on that occasion; but his object was totally different from that of the hon. Gentleman that evening. Hon. Gentlemen had dwelt upon the conscientious feelings of the members of the Free Church; but some regard ought to be paid not merely to the consciences of the members of the Free Church, but to the consciences of the members of the Established Church. His hon. Friend had talked of persecution, and attributed, indirectly at least, persecution to certain individuals whom his hon. Friend had named; and as he (Sir R. H. Inglis) knew one of those individuals to be perfectly incapable of doing anything unworthy of a Christian proprietor, he would assert that so far as he knew of his Friend, Sir James Riddell, though he had been dragged before the House as the proprietor of an immense tract of property in Scotland, he was a man who would be ready to give his tenants every facility not inconsistent with what he considered a proper discharge of his own duty, for worshipping God in their own way. This it was the apparent object of the hon. Member to oblige the Scotch proprietors by law to do. The House would recollect that the right hon. Gentleman (Mr. F. Maule), in his Bill of last year, gave not only to the members of the secession Church, but to every body of Dissenters whatever, the power of demanding a site for a place of worship, from a proprietor on payment of the full value of the land; so that the Church of Rome, might, under his Bill, have had the right of building chapels wherever it was convenient. His right hon. Friend (Sir G. Grey) had intimated that, in a great many instances, the proprietors in Scotland had withdrawn their opposition to granting sites for these churches; but he (Sir R. H. Inglis) asked whether that was any reason for coercing the remaining proprietors into parting with their land contrary to their consciences? One reason for the opposition that was still kept up on this head, perhaps, might be the behaviour of the Free Church in several cases. Unless he was much misinformed, the Free Church had frequently been built so near, or rather in such juxtaposition to the Church of the Establishment, that the same clock and the same bells served for both. ["No, no!"] He was so informed. He held in his hand a list of places, in which he was informed that this was the case, namely, Corstorphine, Browton, Cramond, Libberton, Kirkliston, and Kinross. He had his information from those who had local knowledge, and he believed that his information was correct; that in these parishes the Free Church was placed almost in juxtaposition, and, at any rate, near to the place of worship of the Established Church. His hon. Friend who had introduced the question said that the Duke of Buccleuch and Sir J. Riddell, being dissenters from the Established Church of Scotland, ought to have been more liberal. But the question again recurred whether they, the House of Commons, were at liberty to compel a man to consent to the erection of a place of worship in which doctrines directly hostile to his own feelings and opinions, might be preached, on his own property. Though he had admitted that the proposition before them was less objectionable than that of last year, still he had experience enough of that House to know that a Committee of Inquiry was seldom moved for without a foregone conclusion. He doubted not that his hon. Friend would admit that he believed the object for the consideration of which he had proposed the Committee, would be granted. If so, the proprietors of Scotland would be compelled to devote, for the purposes of spiritual instruction, ground which they believed in their consciences ought not to be granted for such a purpose. It was a thing unprecedented in this country, and he would oppose any such proposal, not only on the grounds of the rights of property, but also on the rights of conscience. Of his Grace the Duke of Buccleuch he had not that knowledge which would justify him (Sir R. H. Inglis) in speaking in his favour; but he did not believe that the Duke of Buccleuch had been actuated, in refusing these sites, by any feeling that he was ashamed to avow. With regard to his friend, Sir J. Riddell, he believed that in his refusal he had been actuated by no other motive than that of a Christian conscientiousness. Regarding this proposition in much the same light as the Bill proposed last year by the right hon. Member for Perth, he did not feel himself at liberty to accede to it.

Sir J. GRAHAM: I have need to ask the indulgence of the House for addressing them at this period of the debate; but perhaps the House will allow me to say that, it having been my painful duty to address the House more than once upon this distressing subject, I have nothing to retract or to add to what I then stated. I then expressed, and now express, my regret that this refusal of sites should have taken place in Scotland, even in the few instances that it has taken place in; and I have also before now said, and now repeat, that my opinions would not lead me to refuse a site for a Free Church if I had property where a site was required. But I think with my hon. Friend who spoke last (Sir R. H. Inglis), that this matter is, after all, pretty much a matter of conscience; but I differ from my hon. Friend in thinking, that this course of the inquiry is better than the course that was taken on this subject last year by the right hon. Gentleman (Mr. Fox Maule), and I consider that this matter is better adapted for settlement by means of direct legislative interference, than by an inquiry before a Committee of this House. It appears that the facts of the case are not disputed. Some proprietors in Scotland, acting from a sense of duty, have refused sites for building churches to the members of the Free Church. No new facts have been brought forward on this occasion. The hon. Gentleman, who introduced this subject in a spirit which it is not possible too much to commend—because, though the subject is an exciting subject, he has discussed it with calmness, clearness, and perspicuity—has brought forward no new facts. I will not follow the hon. Gentleman into the case of the Duke of Buccleuch, which has been twice before this House; and I think that the case of Sir James Riddell has been mentioned on former occasions. There have been only two additional cases now noticed, that of Lord Macdonald in the Isle of Skye, and that of Lord Seafield on the opposite side of the coast of Scotland. These are the four cases on which reliance is now placed; but, on the other hand, the right hon. Gentleman the Secretary of State for the Home Department has announced to the House, as the result of his inquiry, and confirming what I had myself anticipated, that in the lapse of time, and without any direct interference of the Legislature, the change has been progressive, and that the weight of public opinion has operated upon those proprietors who had refused sites; that they are now few in number, and that they already form exceptions to the general rule. These are the facts which are admitted; and with these facts, what can be the object of the inquiry? The object was not announced by the hon. Gentleman who moved for this Committee; but the hon. Gentleman who seconded the Motion admitted that exposure was the object. Now, I cordially concur in the eloquent sentiments which fell from the right hon. Gentleman the Secretary of State for the Home Department, at the close of his speech. I cannot forget that we are discussing this subject at a time when the most solemn feelings are operating in our breasts; that we are in the midst of a great calamity which is enough to humble the pride of man; and that in a large portion of Scotland, the poor, at the present moment, are suffering the severest pressure; and I do agree that this is an occasion upon which all angry passions and all party feelings should be buried in silence, and, as far as can be, all the bitterness of religious animosity should be assuaged. I would ask then, if these are the sentiments which ought to pervade this House, as they do pervade the public in this country, whether it is a legitimate object—when all the facts are admitted—whether it is desirable to expose certain individuals for the conscientious exercise of their rights, and to discuss the motives which seem to have swayed them in their denial of sites? and whether the institution of such a Committee, instead of allaying animosities, will not tend, in the strongest manner, to excite them? If, therefore, there were no other ground, I should for these reasons be prepared to resist the present Motion. But just let us see the nature of this discussion, let us see its inevitable tendency. With all the discretion of the hon. Mover of this Committee, are we not involved in a debate on the political opinions of the Duke of Buccleuch; on the attachment of the Earl of Aberdeen to the Established Church of Scotland; and on the faith and practices of Sir James Riddell? Is it to be tolerated that such discussions are to be entered upon in this House? I lament the refusals which have taken place, and I think that they will not be continued; and the right hon. Gentleman the Secretary of State has told us that they are diminishing, as I think, wisely and most rapidly, so that they are already the exception, and not the rule. Again, I say, therefore, that there is no room for inquiry; the facts are admitted; and if any change be required, distinct legislation ought to be adopted. I certainly entertained great objections to the Bill introduced into Parliament last year; I retain those objections, and I think we should be entering upon a dangerous course of legislation; but I think also that if the refusal of sites for places of religious worship at variance with the Established Church is to be dealt with, it ought to be by direct legislative interference; but the question which we are now discussing is of a different kind. I do not deny the competency of the Legislature to interfere; but if there is to be an interference it must be on the general principle of religious toleration; it cannot be confined to the Church of Scotland, but must include all denominations. If it shall be necessary to bring in a Bill, as the right hon. Gentleman (Mr. F. Maule) by his Bill admitted, it must be complete for the whole of the United Kingdom, under certain modifications and rules. The proposition must be not that it is for the benefit of any sect, but that it is for the benefit of the community to give sites for building places of religious worship. This is a grave and a great question, and it must be debated on the ground of general policy, with reference to the events of the particular time. I adhere to the opinion that no necessity did exist, and I think that no necessity exists now. I say that legislation, if there is to be an interference, is the proper course; but I altogether dissent from the propriety of appointing a Committee. I am unwilling further to detain the House upon a question which has been so often discussed; but if this Motion be pressed to a division, it is my firm determination to vote against it.

Lord G. BENTINCK entirely concurred in the observations of the right hon. Gentleman the Member for Dorchester (Sir James Graham); and said, he could not help observing that the principle adopted by the hon. Gentleman opposite was that of making "the voluntary principle" compulsory. They were called upon to give to the Free Kirk of Scotland the power of obliging those who differed from her in religious opinions, and were unwilling to give sites for churches, to grant those sites whether they would or not. The hon. Gentleman distinctly stated that he was prepared to go the same length as the right hon. Gentleman the Secretary at War, and was prepared to give a power to take the land for sites for churches, if the landlords should be unwilling to give it up. He thought that a most dangerous principle of legislation, and one to which the House of Commons ought not lightly to consent. On these grounds alone he should follow the right hon. Gentleman who had just sat down, and vote against the appointment of this Committee. With one accord, every Gentleman who had spoken had praised the moderation with which this proposition had been introduced to the House, and he (Lord G. Bentinck) was as willing as any one to admit the moderation; but with all that *suaviter in modo*, he thought there was somewhat of the *fortiter in re*, when speaking of the Duke of Buccleuch. Notwithstanding the great, the high, and the distinguished virtues, both domestic and public, which the hon. Gentleman admitted, he said that the noble Duke "was not unwilling to indulge in a little private persecution of his own." He thought that all who knew that noble Duke, must be aware that a love of persecution was altogether repugnant to his character and feelings. A more generous man than the Duke of Buccleuch did not exist; and therefore they had good right to assume that there must have been great provocation to have induced him to refuse to these parties sites for their churches. Although he had had no communication with the Duke of Buccleuch on the subject, he had been given to understand that the most violent and indecorous attacks had been made on the private character and personal conduct of the noble Duke by some preachers, because he had refused these sites for churches. There was one other nobleman whose name had been mentioned, Lord Macdonald. Much had been said, and justly said, in praise of the charity so creditably exercised of late by the Free Church of Scotland, in relation to the distress now pervading the Highlands; but had not that House, throughout the Session, been brought greatly to admire the conduct of Lord Macdonald in relieving the distress upon his estates? Had they not often heard that he had forestalled his entire income for the relief of the people in the Isle of Skye? And if his conduct in regard to the Free Kirk of Scotland was to be thus questioned, they ought to recollect his general conduct and character, and rather to take it for granted that he must have received some provocation for refusing to certain ministers sites for their churches, before they thus condemned him unheard. If the House went to a division, he should concur in a vote refusing inquiry into the conduct of these individuals, whose private conduct in the control of their own property was no fit subject for inquiry by a Committee of the House of Commons. If they thus gave sites for the Free Church of Scotland, what was to prevent the Roman Catholics of Ireland, and of this country, who might be refused similar applications, from demanding to be put upon an equal footing, and also exercising the same right of building churches wherever they might think fit to erect them? He understood that in Scotland in many cases where the Free Church were refused sites, they had sought to build their churches on sites offensive to those who held the land, and close to the neighbourhood, or opposite to the site, of the Established Church. He was neither for the Established Church of Scotland nor for the Free Church. He held property in Scotland, and individually had always readily consented to grant accommodation to the Established Church or to the Free Church of Scotland; but this was quite different from giving the members of the Free Church a downright authority to obtain sites against the wishes of the owners of the land; and as he thought that to grant a Committee to inquire if it might not be expedient to pass a law to make the granting of sites for the building of Free Churches in Scotland compulsory, was most objectionable in principle, he should vote against it.

Mr. FOX MAULE said, that having been engaged on this question last year, and having been the author of a legislative measure on the subject, he trusted he should be excused if he took the great liberty of asking the House to listen to him instead of to his noble Friend, who so worthily held such a distinguished place in that House; but after the speeches of the noble Lord who had just sat down, and of the right hon. Gentleman who preceded him, he thought that, without entering fully into the general argument, he could establish, out of those two speeches, the proof that it would be right to go into this inquiry. The right hon. Gentleman (Sir J. Graham) said, that there was no new fact, and that all the facts were admitted; whilst the noble Lord brought forward assertion after assertion, believing them to be true, but every one of which he would undertake to prove before a Committee of that House had been misrepresented, and were capable of the most easy contradiction. If the granting of a Committee were for the purpose of inquiry into the motives of individuals, he would be one of the last Members to ask the House to grant a public Committee; but this was a Committee which, in his opinion, was asked for to inquire into a great national grievance—into a grievance affecting an integral portion of this nation, and extending over nearly one-half the whole community—into a grievance which had been stated in that House, not once or twice, but upon three separate occasions. The statements of those who brought forward the subject had been doubted; and he must say, that the time was now come when he thought the House was entitled—and not only entitled, but bound—to have an official inquiry into these matters. How were they to arrive at a just conclusion? It could only be by a Committee of that House investigating the case as it was stated on both sides. It was not the Free Church who were pressing them; she was driven to this alternative, and those who were in communion with her were left no alternative. If the Free Church ministers had pursued conduct unworthy of Christian ministers, let that fact be made patent before the Committee, as the fact with respect to the refusal of sites would be made patent. He wished to protect nobody; he wished to expose neither party; he sought only an investigation of such a nature as would establish the facts, and he was glad that it had received the official consent of the Secretary of State for the Home Department. The noble Lord opposite had asked why four or five individual cases had been brought forward? They had not been brought forward with reference to the individual names with which they were mixed up, but they were brought forward with reference to the districts. These individuals were sole proprietors of large districts, where there was no other opportunity for the Free Church to gain relief by applying to other parties. Let the noble Lord recollect what course had been taken, and what had been the result of the Free Church acts in the Isle of Skye itself. The distress was universal; there was almost starvation among a considerable portion of the people, and they were driven to desperation. In their want of food the threats of these poor people were, that they would be driven to apply to their own sustenance the sheep which were wandering on the mountain side. There and then was preached from the pulpits of the Established Church, and in the gravel pits to which the Free Church was driven, the doctrine of obedience to the law in the midst of all temptations and all sufferings. Those appeals were successful, and these 4,000 men, who had no place to worship but in the open air and under the canopy of Heaven, had abstained from every act of aggression; and through the influence of their clergy they had not meddled with anything belonging not to themselves, and had not appropriated to their own use any of the property of others. And was it to be borne, and would the House submit, that men who had acted in this manner, should be denied the privilege of worshipping together on the Sabbath-day, in a covered, though humble place of worship? He believed that if the House refused an application of this kind, the poor population so situated would be driven to desperation, and that the Legislature would run the risk of turning them from the habit of public worship at all; and then what would become of them? It was in vain that his hon. Friend the Member for Oxford University said, that there was room in the Established Churches; but they differed from the doctrines which were there taught. He said, advisedly, that they differed, because the discipline and the doctrines of the Established Church were now mixed up, and what was called the rule of discipline was looked upon as incorporated in the doctrine of the Established Church. But into that question he would not go; it did not form part of the subject before the House, and he would speak only of the general acts of the proprietors in refusing to the people the means of meeting for the purposes of religious worship. But there was one case which showed the use of a Committee. The noble Lord had alluded to the motives which had influenced the Duke of Buccleuch in refusing sites. The noble Lord had stated, that there had been gross denunciations against the noble Duke uttered by those to whom he had refused sites; the same thing had been stated over and over again; but the Duke of Buccleuch himself had said, after receiving further information as to the statements on which he had founded his belief, that they were not well founded, so that the noble Lord would see that this argument against the appointment of a Committee had not any foundation. The only motive which seemed to induce the right hon. Gentleman the Member for Dorchester (Sir J. Graham) to oppose the Committee, was, that he had adroitly seized a word which fell from the hon. Member for Dumfries (Mr. Ewart), in which he said that the Committee was intended for exposure. Now, the right hon. Gentleman admitted that he would himself urge the grant of site, and would give as an advantage to the Free Church the weight of public opinion; but how was public opinion to be a guide, unless there were a knowledge of the facts; and what after all was a knowledge of the facts but exposure? He conceived that there was no other way in which public opinion could be formed, except on the facts. Whenever an expression of public opinion had occurred, it had been after a diligent search into every fact; without it there had never been a great political change, and upon every amendment in legislation, previous inquiry had brought public opinion to bear. He said, then, that it was a fit subject for inquiry to bring public opinion to bear, when the House would find that half a nation were suffering persecution on account of their religious opinions, and many thousands were deprived of a roof over their heads in their public worship. The right hon. Gentleman said that these instances were decreasing rapidly; and it was true that, since the discussion last year, there had been a change for the better; but the House would hardly believe that there were still thirty cases of refusal of sites; and he held in his hand a table of the districts of Scotland in which these cases occurred. He trusted that the House would pause well before it refused to grant this Committee. They had heard the noble Lord (Lord G. Bentinck), the hon. Gentleman the Member for Oxford University (Sir R. H. Inglis), and the right hon. Gentleman (Sir J. Graham)—who might almost be called a Scotchman, so nearly did his property adjoin that country—opposing this Motion; but they had seen no Scotchman get up and follow the same course; and he earnestly trusted that he should hear no Scotchman speak, and that he should see no Scotchman record his vote, against the inquiry for which he asked. He could not think without regret of what would happen in that country, and of the feelings that would be excited, if the House of Commons rejected this Motion. The House would recollect, that all they asked was for a Committee of Inquiry: let the faults of the case—if faults there were—be laid before the Committee; let the proofs be laid bare, and then they would see whether the complaints upon this subject had been founded in caprice or injustice to a large body of people in Scotland, who, he maintained, had been most unjustly refused the right of every freeman in a free country, viz., an opportunity of following out their religious opinions according to their conscience in quietness and peace.

Mr. S. WORTLEY thought that the friends of this Motion might regret that the right hon. Gentleman who had just spoken should have abstained, immediately upon his accession to office, from using that influence which, as a Member of the Government, he might possess, and have allowed the hon. Member for Kilmarnock to bring forward this subject. He thought the matter of such paramount importance, that if anything were done upon the subject, it was the duty of the Government to undertake it. What was a Committee to ascertain which was not at that moment within the reach or knowledge of the Government? The facts of the case were established and notorious. The right hon. Gentleman had endeavoured to put the Scotch Members in a very invidious position; for he said that he trusted he should hear no Scotch Member contend against the Motion. He would not yield to the right hon. Gentleman, though he was a member of the Free Church, in his admiration of the great body of the Scotch people; nothing could be more admirable than the readiness with which they had submitted to the sacrifices they had made; nothing more praiseworthy than that conduct to which the right hon. Gentleman had alluded: but, his objection to this Motion was, that he thought it most unkind and unfortunate: and with deep regret had he heard the speech of the right hon. Baronet the Secretary for the Home Department, and the announcement that the Government were about to consent to this Motion; not because he dissented from the principle of toleration the right hon. Baronet had enunciated, nor from the object he had in inducing landed proprietors to grant sites to members of the Free Church; but because he believed that, in appointing this Committee, they would be taking the course calculated to frustrate, or at all events to postpone, the object they had in view. It was because he thought it interfered with the principle of toleration, and because he believed it would be irritating anew those feelings which were in the course of settlement, and that it would greatly retard the object they had in view, that he was opposed to this Motion. The right hon. Gentleman spoke of half the nation belonging to the Free Church; and in the petition of the General Assembly of the Free Church, it was stated to consist of one-third of the people of Scotland. Now, there were about 1,100 parishes in Scotland, and how many congregations were there actually established? 831—congregations exercising all the rights of freedom and religious worship. There were 640 churches actually built, and 27 in progress; making, together, 667. According to the statement of the right hon. Gentleman, there were thirty cases in which refusals had been made; and that the cases had been falling off since last year. [Mr. F. Maule: I said the cases had diminished from last year, but that thirty cases still remained.] He had stated the matter rightly, if he had not been misunderstood; but he said that last year there were more cases, and that they were now reduced to thirty cases. When the right hon. Gentleman spoke on this subject last year, he mentioned the name of the Earl of Cawdor. It appeared that that noble Earl and others had acted upon the principle alluded to by his hon. Friend behind him, and had given sites of their own accord: and in that manner the number of cases had become diminished, not because they had interfered by legislation, but because they had allowed the expression of public feeling in that House to have its effect upon those proprietors. He heard with great admiration the reference of the right hon. Gentleman to the conduct of members of the Free Church on the western coast of Scotland. He was anxious to express with the right hon. Gentleman his admiration of such conduct; but how could he treat it? He would allow it to have its effect upon those very proprietors who had refused sites; let them see that this young Church, separated as it was from the Established Church, and perhaps at present too much excited, and endeavouring to excite religious animosities wherever it went, was exercising the right office and duties of a Church, viz., in the performance of works of charity, and endeavouring to do all the good it could amongst the people, and he could not but hope, and confidently foreseee, that within a short space of time, unless they interfered, those proprietors who had hitherto refused would grant sites. The right hon. Gentleman had mentioned the Duke of Buccleuch. There was no man in that House who knew anything of that noble Duke but would concur in the just eulogiums which the noble Lord the Member for Lynn had passed upon him. But what had prevented that noble Duke hitherto granting sites? Within a very few yards from that spot where they were assembled, the noble Duke had avowed the cause to be that strangers, ministers, and laymen coming from a distance, had preached against him. [MR. F. MAULE: I deny it.] If he could have advised the Duke of Buccleuch upon that subject, he would have said, "Despise these attacks; look upon the principle of this great movement, and give sites;" and he believed that, if the sites had been given in the case of the Duke of Buccleuch, as in every other, the mischief would have been prevented. But were their proceedings such as to produce that effect on the mind of the Duke of Buccleuch? Was he to be told, "You shall be exposed, and compelled to do that you are unwilling to do?" And if they voted for this Committee, what would be the consequence? That they would again revive the animosities that were beginning to subside. Upon that ground did he object to it. The right hon. Gentleman knew well, that in the course of last year nearly 500 petitions, with nearly 60,000 signatures, were presented to that House. They were then told to leave things alone, and gradually they would get better. And what was the consequence? That no fresh petition had been presented; that there were only thirty cases now; and that they were daily diminishing; and he believed that if the subject were left alone, they would all be relieved. It was because he wished that to be the case, without increasing the present animosities and difficulties, that he thought they were taking an unwise course. If a division took place, he should certainly divide against the Motion, for he did not believe it could lead to any practical result. What were they to gain by it? What course was to be pursued? Was it the course mentioned by the right hon. Gentleman last year, viz., compulsory legislation? If they took such a course they must grant the same thing to all sects and to all religions: they must give it to all or none. That was a course which he believed that House or the Legislature were not inclined to accede to; and if that were the only object or end of the Committee, he asked once more what was to be gained by it?

LORD J. RUSSELL said: Sir, if I was anxious to address the House before my right hon. Friend the Member for Perth (Mr. F. Maule), it was because if I take part in favour of the Motion of my hon. Friend the Member for Kilmarnock (Mr. Bouverie), I do so from no partiality for those in whose behalf the Motion has been made. I was one of those who strongly resisted their claim to be heard by this House, and to have a legislative decision in their favour, before the unfortunate secession in the Church of Scotland had taken place. I was one of those who could see nothing to justify the great body of ministers who had been the leaders of that secession, and the large number of people who had followed them. But that secession having taken place—great numbers of the people of Scotland having conscientiously followed their ministers who abandoned their houses, their incomes, and their means of livelihood, in order to follow the dictates of their strong religious convictions—I am no less persuaded that everything which this House can do to enable those ministers to preach the doctrines in which they conscientiously believe to their followers, who eagerly crowd to listen to them—I am no less persuaded that everything which this House can properly do for the attainment of that end, ought to be done. Now, the right hon. Gentleman the Member for Dorchester (Sir J. Graham), put his case in a way so smooth and round, that if no one had followed him in the debate, his speech might almost have concluded all argument upon this subject. The right hon. Gentleman said—" Here are facts that are undisputed —facts that have been completely ascertained; there is nothing to inquire into. Either propose a remedy, or abstain from interference in this matter. But, as for a Committee of Inquiry, that is unwise and inexpedient." But the right hon. Gentleman had no sooner concluded his speech containing these assertions, than up rose my noble Friend the Member for Lynn, who with regard to the facts of the case took for granted one thing, assumed another, and presumed a third; and all these facts were contradicted and disputed by my right hon. Friend the Member for Perth. My noble Friend assumed that these ministers had been entirely in the wrong; he took it for granted that they had made violent personal attacks against those proprietors who had been asked for sites; and he presumed that they had acted in a manner so offensive that it was impossible for the proprietors to accede to their requests. Now, all these are facts which have been taken for granted by my noble Friend, but which have not been ascertained. In order, therefore, to know what the facts of the case really are, I think it is desirable that we should have a Committee to inquire into the subject. It is desirable, in order that we may see whether there is in the statements in question that degree of truth which would make these refusals justifiable. Here is, it must be confessed, a very considerable grievance. We have congregations in one place meeting on the moor and on the moss exposed to the violence of the winds, drenched by the pouring of the rain, while listening to the performance of divine service, without any shelter, reminding us of those times of the Covenanters when persecution was established by law. We have in another place people obliged to leave the main land in boats, in order to find the ministers who only can give them that religious doctrine and that spiritual instruction which they are prepared to receive; and we have these things justified on the ground of the rights of property. Now, I must say, that with regard to a legislative remedy for these things, I am, on the one hand, very unwilling to adopt any legislation upon a subject so difficult, and touching so nearly the conscientious opinions of many. But, on the other hand, if it should be proved to me by facts—if it should be proved to me by inquiry—that these grievances are suffered, and that there is no sufficient redress for them—that these are not special and peculiar cases in which the proprietor's personal character was attacked, and in which he found it quite impossible to grant sites without sowing dissensions among the people living on his estate; but that these are refusals on the ground that this is a religious sect of which he disapproves, and that in thirty cases these refusals still existed, and in thirty cases people are obliged to listen to divine service without a roof over their heads—I must say if, after a patient inquiry, and after hearing both sides, these facts should be established, I should not be indisposed to agree to a legislative remedy. Therefore, I say, that this is a case for inquiry. It is not a case in which the House ought at once to interfere, because it is a case in which you may have to establish a great principle; for I freely admit, that if you establish the principle for the Free Church of Scotland, and if there should hereafter be any similar complaint from the Roman Catholics of Ireland, or from the Society of Friends, or any other religious society, the principle must be universally applied, and what you do in one case you must do in a like case. But, Sir, that does not convince me that you ought not in an extreme case to assent to a legislative remedy, because there is nothing which the House ought to hold more sacred than allowing every individual in this country to worship God according to his conscience; and if these obstacles are interposed, you do not permit that freedom of worship. I do not want to touch upon the character of the individuals who have refused to grant these sites. I am ready to admit that many of those persons who have been mentioned as having refused to grant sites, and with whom I have myself the honour to be acquainted, are persons of the kindest disposition and of the highest character. That I am ready to admit. But in subjects of this kind, I know very well to what extremes persons have gone, who, in their general character, show the utmost kindness and benevolence. Why, even this evening my hon. Friend the Member for the University of Oxford (Sir R. H. Inglis), than whom I know no man of a kinder disposition, or of a more benevolent regard towards all his fellow-creatures, has shown that in subjects connected with religious liberty, he cannot appreciate the strong feelings of others. He told us, very calmly, that, with regard to one of these parishes, there was accommodation in the place of worship of the Established Church, That shows that my hon. Friend thinks it sufficient that there is a church open; and he does not take into his consideration what are the feelings, what are the doctrines, and what are the opinions of those men who come to us as petitioners in this instance for our protection. Now, I should like to know what my hon. Friend would think, if, when he asked, in a Roman Catholic town, in a Roman Catholic country, for a Protestant place of worship, he should be told, "There is plenty of room in the Roman Catholic church. You have no need of any place of worship of your own; there is room, not only for you, but for hundreds of other Protestants in the Roman Catholic place of worship. Go there, and you will be always well received." Even the kindest and most benevolent persons, therefore, may be unable to enter into the feelings of others on religious questions; and although the principle of forcibly appropriating sites for places of religious worship may be a dangerous one, yet, considering that in our legislation we already violate the rights of property—and that, for the promotion of the public health, for the construction of a road or of a railway, or for the purpose of beautifying a square or ornamenting a town, we have no hesitation in telling parties that they must give up their property at its fair value—I do think that there may be a case in which the propriety of interference by the Legislature for the purpose of obtaining sites for churches may be inquired into. I have been glad to find that almost all those who have spoken in the course of this discussion, have said that they lamented the refusal of those sites. The hon. Gentleman who spoke last said, that in giving his vote against the proposed inquiry, he considered that he should be acting more in furtherance of the object of the Motion, than if he were to vote in its support. I am glad to see the opinion which prevails generally upon the subject in this House; and I hope, that whatever may be the decision of the House on this occasion, those who hold, on what I have no doubt is a mistaken notion, the firm conviction that they are right in refusing sites for Free churches in Scotland, will yet change their opinion on seeing what is the general feeling upon this subject of those whom they most respect; and that the members of the Free Church of Scotland will have the means of worshipping God according to their own consciences and belief.

MR. F. SCOTT was disposed, after all that he had heard upon both sides of the question, to give his vote against the appointment of the Committee. The question should be viewed in its twofold character: firstly, as it regarded the private characters of individuals; and, secondly, as to the effect it was likely to have upon the religious feeling of the people at large. If he were to consult the wishes of individuals—at least if he were to consult the feelings of one of the individuals whose character had been assailed—he should be compelled to give his vote in favour of the inquiry. The Duke of Buccleuch, he believed, would like nothing better than to have an opportunity, such as the appointment of the Committee would afford him, of stating fully before it his reasons for refusing sites for the places of worship which he had refused. So likewise, he believed, would Lord Macdonald. He well remembered the manner in which Scotland was convulsed, a short time back, by the dispute between the Churches, and the strong feeling which had arisen between the clergy of the Established and the Free Church, when they were in the habit of preaching against each other from their respective pulpits. But when he saw those acrimonious feelings subsiding—when he found that the number of cases in which sites for places of worship were refused, reduced, in the year 1847, to thirty—was he not, he would ask the House, bound to believe, that if they had not thus again stirred up those subjects of acrimony—not again brought forward that bone of contention, there would not, in the year 1848, be twenty places in which the same subject of complaint would be found existing, and that by the year 1850 there would not be a single subject of complaint? He had feelings of the sincerest respect for those who differed from him in their religious views; and he agreed with the noble Lord the Member for London, when he said, that it was desirous and necessary to legislate in a case of existing grievance which was not likely to remedy itself. But he differed from the noble Lord in considering the present to be such a case. He thought that the grievance was being redressed; and he felt convinced, that in five years time from the present, they would be able, if they did not interfere, to congratulate Scotland upon having no single cause of complaint or dispute upon the subject. Believing that the proposition would have the effect of exculpating those whose conduct had been hitherto sought to be inculpated, he was glad that it had been brought forward; but, believing that it would renew and widen the schism which already existed, he regretted that the Motion had been made.

COLONEL MURE would record his vote in favour of the Motion of his hon. Friend the Member for Kilmarnock. The question was scarcely one which fell within the limits of Parliamentary legislation; but, at the same time, he thought that an inquiry ought to be instituted relative to the obstructions placed in the way of obtaining sites for the Free Church. A case of grievance had, in his opinion, been made out; and, under those circumstances, it was his intention to vote for the Motion of his hon. Friend, with the distinct understanding that he did not thereby pledge himself to any particular line of conduct upon the question subsequently.

The House divided:—Ayes 89; Noes 61: Majority 28.

POOR REMOVAL ACT.

MR. BANKES said, he had two notices upon the Paper: the first, to call the attention of the House to the report of the Select Committee on Settlement and Poor Removal, printed that day; and the second, to ask for a copy of the case submitted by the Poor Law Commissioners to the law officers of the Crown for their opinion, with reference to the construction of a clause in the Poor Removal Act. The substance of the report of the Select Committee was contained in one passage, which stated that the Committee had to report that it appeared to them the most prominent of the difficulties attending the subjects before them had arisen out of the provisions of the Act of last Session, commonly called the "Poor Removal Act." There were grave doubts entertained with regard to the construction of an important proviso in that Act; but whatever might be the extent of the evils attributable to the existence of those doubts, the Committee did not think them of sufficient magnitude to recommend the removal of them by legislative enactment of a temporary nature. He (Mr. Bankes) thought it fair to state that the report was by no means an unanimous one; and he thought it right to direct the immediate attention of the House to it, because they were all aware that a great deal of interest existed throughout the country with regard to the Poor Removal Bill of the last Session. He thought it his duty to point out how that Bill was working throughout a great part of the kingdom injuriously, as he was prepared to prove, to the poor, and injuriously, as he could also prove, to a great portion of the ratepayers. But that portion of the question which he considered to be of by far the greatest importance, was the injurious working of the measure towards the poor; and therefore it was that he had urged upon the noble Lord at the head of Her Majesty's Government, when the noble Lord was about to move the appointment of the Select Committee, that they should inquire into the operation of the Act as it affected the comfort and condition of the poor, and that they should consider the law of settlement, with a view to its improvement; and, finally, he had induced the noble Lord to move an instruction to the Committee, which should have the effect of directing their attention to the construction of the Act. In the Committee, he (Mr. Bankes) had subsequently striven to direct the attention of its members to the construction of the Act, so far as regarded the state and condition of the poor; but the Committee, after refusing to hear more than a limited portion of evidence upon the point, came to the conclusion by the votes of the majority, that it was more expedient to include the consideration of that Bill in the general scope of their inquiry, rather than to keep it distinct and separate; by which latter means alone, he (Mr. Bankes) thought it possible for them to arrive at any satisfactory conclusion. The Committee having then determined to involve the consideration of that Bill in the whole consideration of the larger question before them, he thought it wholly impossible for the Government to avail themselves so far of the report of the Committee as to be enabled to remedy the evils in the present Session. And seeing the mischievous effects of the Bill—effects which he would prove presently, by evidence with which he was prepared, to be most mischievous — evidence which would include even that of the right hon. Gentleman the Member for Dorchester, who agreed with him as to the pressure inflicted by the Bill upon the ratepayers, although the right hon. Gentleman differed from him upon the question of the pressure upon the poor —he thought it right to say that if the Committee did not make greater progress between the present time and the Easter recess than he could anticipate, he should, on the earliest possible opportunity after the recess, bring forward a measure which should have for its object either the total repeal or the large amendment of the Act of last Session. He did not think it necessary at the present time to state the course he meant to take, because he believed that something would be said that night in another place upon the subject; and he thought it better that the two Houses should be united in the course to be adopted. But he would state it as his present opinion that the Act should be repealed altogether, and that there should be a general revision of all the laws relating to the poor. He was under the impression that it had been stated at the close of last Session, either by the right hon. Gentleman at the Home Office, or by some other Member of the Government, that there would be submitted to Parliament this Session a measure for the improvement of the poor laws, which measure he understood was to have been submitted to the Select Committee. Such, he understood, was the intention of the Government; and there would then indeed have been some hope of a legislative measure being passed during the present Session. But one small portion only of the poor laws having been submitted to the consideration of the Committee, without any intimation of the wishes or intentions of the Government having been made to them —looking at the progress of the Committee hitherto—and considering the great diversity of opinion already expressed amongst the Members of it—he did not see the smallest chance of their coming to a satisfactory conclusion, or of anything great or comprehensive coming from the Committee this Session. He had spoken of the great diversity of opinion upon the subject. He might observe that there was one proposition which had the approbation of many. It was for a union settlement. Others approved the larger proposition, which he was sorry to say was gaining weight throughout the kingdom, for doing away with settlement altogether, and having a national rating. And it was one of the mischiefs of the Bill of last Session, that it had brought that most dangerous proposition into public favour. He would cite one of the many proofs of the advance in public favour of this dangerous proposition. He had had the honour of presenting, that day, three petitions from three several boards of poor-law guardians, to the House, praying for an alteration in the law; and two out of the three prayed for the abrogation of the law of settlement, and the adoption of a general law of rating. The ultimate consequences of such a measure had not been fully considered by many who prayed for its adoption; and he did indulge the belief that no such plan would be hastily assented to by either House of Parliament. He would take leave to draw the attention of the House to the evidence of Mr. Gulson, the assistant poor-law commissioner, a gentleman of the highest character and of great experience, given before the Committee on this Bill. He begged to say that the reason he had not referred to that evidence before was, that it had not been given until after the report was made. He divided the Committee on the question whether they should hear Mr. Gulson before they made their report; but the majority of the Committee decided against him, and resolved that they would make the report first, and hear the evidence afterwards. Mr. Gulson stated that he was appointed an assistant poor-law commissioner in 1834; and, after enumerating fifteen or sixteen counties in England and Wales with which his duties had made him acquainted, he was asked to give his opinion on the Poor Removal Act. He said—

> "I have no hesitation in giving my opinion that it operates most harshly on the class of poor who are most entitled to our commiseration, the old and infirm."

And again he said—

> "I have no hesitation in saying that the universal opinion is that this Act must be altered. That opinion prevails everywhere, and in consequence the people are more acquiescent than they would otherwise be."

He was then asked in what respect he supposed the Act worked differently from the manner in which it was it was intended to operate; and he said—

> "I cannot believe that the Act was intended to act harshly or cruelly on the poor themselves; but I am satisfied it has so acted."

That evidence was certainly, in some degree, counterbalanced by the weight of the evidence of one of the Poor Law Commissioners, Mr. Lewis; but he had no hesitation in preferring the evidence of Mr. Gulson to Mr. Lewis, who did not see the working of the Act, and did not desire those who saw it to communicate the result to him. One witness had practical means of knowledge; the other had no means of knowledge whatever on the subject; and his opinion could not, therefore, be compared with that of a man like Mr. Gulson, who had superintended the operation of the Act in fifteen or sixteen counties. With regard to the effect of this measure on the ratepayers, it was not necessary that he should trouble the House with any remarks, or make any case at all, because hon. Members no doubt had opportunities of knowing what were the changes in the rates effected in their respective unions by this Act. In general, the agricultural labourers lived in the towns, and went out to work daily in the rural parishes; and yet the towns were now to be charged with their support. His right hon. Friend behind him (Sir James Graham), he believed, admitted that it would be absolutely unjust that the ratepayers should be subjected to the continued operation of the Act, unless it were accompanied by some alteration in the law, that would put it on a different footing. He would say, therefore, that they ought to put back the law to the state in which it was before the passing of that Act, until they were prepared with a real remedial measure. He regretted very much that the noble Lord at the head of Her Majesty's Government had suffered so much of the Session to pass over without giving them some information with reference to the New Commission under which the working of the Poor Law was hereafter to be carried on, and stating, if not the details, at least the general principles of his plan. It was clear that if they had a person in that House responsible for the law, such a thing would not have happened as an important law intended for the good of the poor being found to bear a construction directly contrary to the intention of the Legislature. It remained to be seen whether the opinion of the law officers of the Crown, given in direct opposition to what was known to be intention of Parliament when the law was passed, ought or ought not to be regarded as the law of the land. If the opinion of the law officers was to be the law, the House had a right to have that opinion before them. As it was intimated to him that his Motion, as it originally stood, would be refused, he would confine his Motion to an application for the statement of the case for the opinion of the law officers of the Crown, as taken by the Poor Law Commissioners on this Bill. It was stated before the Committee that there were six questions proposed to the law officers of the Crown. It thus appeared that the Commissioners had six doubts on this Bill; and even if he were not entitled to the case, he was at all events entitled to the doubts. This was the act of a constituted body over which the Parliament were the guardians, and he had therefore a right to require its production. When he applied for the production of the case in the Committee, he was told that he should make his application to the House. He could see no ground why the Government should refuse his Motion. The law was construed one way by the law officers, and another way by an eminent recorder of sessions; and what he recommended in the Committee was, that they ought either to repeal or to pass a declaratory Act explaining what the meaning of the law was. Since the commencement of the Session, they had had an uninterrupted flow of petitions pouring in, praying at first for an alteration of the law of last Session, but latterly calling for a total abolition of the law of settlement. If they did not wish to adopt the latter course, they ought in time to make such an alteration as would create quiet and contentment throughout the country, instead of permitting the irritated feeling now prevalent to increase. He believed the best course they could take would be to repeal the Act of last Session at once, and then to leave the question to be settled in the first Session of a new Parliament, in conjunction with the alteration which the noble Lord proposed to make in the supervision of the law. He begged to add that he should feel himself at liberty to move on a future day, should he consider it necessary to do so, for the opinion of the law officers of the Crown on this question. The hon. Member concluded by moving—

> "That there be laid before this House, a Copy of the Case submitted by the Poor Law Commissioners to the Law Officers of the Crown, for their opinion with reference to the construction of a Clause in the Poor Removal Act."

Mr. C. BULLER said, the general rule of the Government and of the House was not to call for cases laid before the law officers of the Crown, or the opinions given thereon. That was the rule of the profession, and it was a rule respected by the Government and by that House; and he should say that he thought the present was the very last case where they ought to interfere with it, because both in the letter of the Poor Law Commissioners, and in the evidence of Mr. Lewis before the Committee, both the case and the opinions were stated as fully as should satisfy any reasonable man's curiosity. He would wish to offer a few remarks on the other matters alluded to by the hon. Gentleman.

In the instructions given to the Select Committee, they were recommended, in the first place, to enter into the question of the Poor Removal Act, and to report specially upon it to the House. That appeared to him to be recommending rather a strange course of proceeding, because the Poor Removal Act of last Session was clearly a part of the whole question of the law of settlement. He did not see in what other light they were to regard it. If they had a law by which poor persons, after a residence of five years in a parish, were not to be liable to removal, it appeared to him to be so clearly a part of the law of settlement, that it would be impossible to consider it apart from the law of settlement. He would only refer to the proposals made with reference to the law of settlement, alluded to by the hon. Gentleman, to remark that they were of three kinds. It was proposed by some that the law should remain as it was, with merely such alterations as would still maintain the principle of parochial settlement. Others proposed a union settlement; and others, again, proposed that there should be no law of settlement at all, but that all the poor of the country should be supported by a national contribution. All these questions were referred to the Committee. They referred to the Committee the duty of reporting what in their opinion should be the law of settlement; and yet they asked them to report as a separate question, and in the first instance, whether poor persons resident in a parish for five years should be removable or not. He believed it was utterly impossible to decide positively on that question, without deciding what should be the law of settlement altogether. It was impossible for the Committee to give an opinion on a particular question which was a part of the general question, without entering into that general and fundamental question. Such being the reference to the Committee, suppose the House to have a meaning in its reference, the question was, whether there were such evils in the Act as required interference. The Committee found that great difficulties had arisen with regard to the interpretation of it; and though all the Members probably agreed that the Act had been interpreted in a sense contrary to the intention of those who introduced it, the opinion among them was by no means general that the construction put upon it by the law officers of the Crown was at all prejudicial to the people. The hon. Gentleman (Mr. Bankes) took the opinion of the Committee on that subject; and, whether it were right or wrong, a majority were of opinion that if they were to interpret the Act, they would much rather interpret it against the views of those who framed it, than the contrary. The poor had got fixed in their parishes—they were irremoveable; and he asked the House whether, for the sake of correcting a mistake, they would restore the interpretation originally intended? He apprehended they would do no such thing. They would rather look to the real bearing of the legal interpretation upon the comforts of the poor. The Committee, having the whole law of settlement referred to them, and this Act incidentally, did wisely in saying they would not look at the two separately. The hon. Gentleman (Mr. G. Bankes) complained that the Committee had reported without hearing Mr. Gulson's evidence. No doubt that gentleman was a witness of great respectability, and one to whose testimony great weight attached; but it was given too late. Fortunately, however, the country would not be deprived of it, because the hon. Gentleman had himself made the most of it. He (Mr. C. Buller) had asked Mr. Gulson whether, if it rested with him to say what alteration should be made in the Removal Bill of last Session, he would remove the evils complained of by altering the law of settlement. "I would," was the reply. After this, it was rather extraordinary to allege that the evidence of Mr. Gulson would have shaken the Committee upon the point on which they reported. He would not pretend to say when the Committee would present their general report; but he trusted before the end of the Session they would be able to form their opinion upon the very difficult and complicated subject referred to them by the House. He was, however, perfectly sure that the worst plan the House could pursue, would be to take the law of settlement bit by bit, obtain reports first upon one part and then another, and decide upon one branch and afterwards on another. This was a great question, materially affecting the happiness and the social condition of the poor. It must therefore be considered as a whole; the House must make up their minds to patience and forbearance in waiting until the whole question was before them, and then they would have to decide upon it altogether.

Mr. P. MILES, as a Member of the Committee, was of opinion that the Poor

Removal Act should either be abrogated and entirely repealed, or considerably altered. Was the country to be taken in by a fraud? The opinion of the law officers of the Crown might be a very proper one; but if the House could have foreseen the interpretation they had put upon the Act of last Session, would it ever have been passed? Certainly not. The opinion of Mr. Gulson, and of witnesses from the east, west, midland, and part of the southern districts, proved that there was only one thing upon which people were agreed, and that was in reprobating the Act of last Session. He was astonished to hear the hon. Member (Mr. Buller) express an opinion in favour of the beneficial operation of the Act upon the poor. Mr. Gulson's evidence proved, that upon the aged, infirm, and deserving class of paupers, the Act had operated very detrimentally. If the House would carry out the real intention of the Poor Removal Act, they would have much greater facilities for entering upon the law of settlement. His own opinion was in favour of an industrial irremoveability, as far as the Act of last Session went, after five years' residence. He was sure, as soon as it was known that his hon. Friend intended to bring on after Easter a Motion for the repeal or alteration of the Act of last Session, the Table of the House would be covered with petitions against the law. He was afraid the whole of the Session would be wasted before the Committee came to a conclusion, and that it would be impossible to bring in a Bill this Session to alter the existing law—a law alike unjust to the ratepayers and to the poor, and which inflicted a great loss upon the people of England.

Sir G. GREY said, he did not know the object of the hon. Member (Mr. Bankes) in bringing forward these two Motions, only one of which, however, it appeared he wished to be put from the chair. With a view to removing the doubts that had been felt, the hon. Member moved for a copy of the case submitted to the law officers of the Crown for their opinion. It was distinctly stated by Mr. Lewis, that this case merely contained a statement of the doubts entertained; and how the hon. Member could think the doubts which prevailed upon the interpretation of the Act could be removed by a statement of the doubts themselves, he was at loss to conceive. The course which the hon. Member for Dorsetshire had taken, could lead to no practical result. He had avoided submitting any proposition upon which the opinion of the House could be expressed. The open and manly course to have taken would have been to do what it appeared he intended to do after Easter, namely, to submit a definite Motion on the subject. Perhaps the reason why he had pursued so devious a course upon this occasion was, that he had not yet made up his mind—as might be inferred from what the hon. Member who spoke last had let fall—as to whether he should introduce a Bill to repeal the Act of last Session, or one merely to give a retrospective effect to some of its clauses. He (Sir G. Grey) felt that he should consult the public convenience by abstaining from discussing the Poor Removal Act of last Session until the hon. Member should bring the question under the notice of the House in a definite shape, as he said he would.

Mr. FINCH said, that the Poor Removal Act of last Session was passed hastily, and in some respect under false pretences. It was proposed as a compensation in some degree for the injury which the landed interested sustained by the repeal of the corn laws, it being represented that under the operation of the measure, towns would be obliged to support some of the poor who had theretofore been maintained exclusively by the agricultural districts. He expressed an opinion at the time that the measure would be no boon to the agricultural interest; and the result had shown that he was correct. If it should appear that there would be time to introduce a general measure, founded on the report of the Committee, in the course of the present Session, he would advise the hon. Member for Dorsetshire not to bring forward his Bill; but if that should not be the case, it would, in his opinion, be most desirable to pass some such Bill as that which the hon. Member had announced his intention to bring in. At the same time he could not advise the hon. Member to persevere in the Motion before the House.

Mr. RICE thought that it was desirable to repeal the Act of last Session under any circumstances; and the notice which the hon. Member for Dorsetshire had given that evening, induced him to hope that it would be repealed before the end of the Session. The measure had operated with oppressive harshness upon the poor. In his own neighbourhood, a number of notices had been given to remove cottagers who had not lived five years in their parishes at Michaelmas next. If the Act should not be repealed this Session, the country would be left a prey to the confusion and heartburning which now prevailed for another year. One example would suffice to show the harsh treatment to which the poor had been subjected since the passing of the Act of last Session. A man who lived in his (Mr. Rice's) parish, had worked for twenty-five years in the neighbouring parish; he walked three miles to his work in the morning, and three back again at night. As soon as the Poor Removal Act was passed, his master told him that he wanted his services no longer; and he was now working on the roads in his parish. The announcement of the hon. Member's intention to move for the repeal of the Act, would, he believed, prevent many poor persons from being served with notices to quit their abodes.

Mr. E. WODEHOUSE would not have ventured to to unite his influence with that of the hon. Gentleman who had last sat down, in urging his hon. Friend to persevere in his Motion, were it not for the efforts which the Poor Law Commissioners were making to extenuate the dissatisfaction which prevailed all through the country with respect to the Bill of last Session. The injuries inflicted on the poor in his own neighbourhood, had been of the most annoying and distressing character. There were such enormous difficulties attending the final adjustment of the question, that no act of immediate relief could satisfactorily meet the emergency. Under these circumstances, the sooner Parliament undertook the consideration of other and more permanent measures, the better would it be for the country.

Mr. VERNON SMITH was obliged to the hon. Member for Dorsetshire for having brought the subject under the notice of the House as he had done, for otherwise an impression might have been made on the country that the question was concluded by the report which had been made by the Committee up stairs. He complained of the conduct of the Committee in having refused to examine witnesses who were practically acquainted with the working of the law. They had contented themselves with examining three official gentlemen, and then made their report to the House. In his opinion, the Bill inflicted hardship on the poor as well as upon the ratepayers. The parish officers and the proprietors were enabled by indirect means to effect the removal of the poor from their houses. For instance, if an old woman resided with her daughter, the proprietor would say, "It is true, I cannot remove your mother, but if you do not remove with her into another parish I will give you notice to quit." The Poor Law Commissioners could not reach cases of this kind. The repeal of the Act of last Session was necessary as a preliminary to the amendment of the law of settlement. It was evident from the answers which the witnesses gave who were examined before the Committee, that a great many of them confounded the Poor Law Act with the law of settlement. The right hon. Member for Dorchester, with his usual acuteness, perceived this confusion, and directed the attention of the witnesses to it. As to the Committee which was now sitting, he had prophesied that it would be productive of no good, and his prophecy was likely to be fulfilled. More irritation had been shown in the Committee than in any other he had ever heard of. In order to show the divided state of feeling in the Committee, it was only necessary to state that there had been eight divisions in it during the first four days of its sitting.

Sir J. GRAHAM said, that the desire which he felt not to occupy the public time unnecessarily, would prevent him from adverting to the evidence of Mr. Gulson, which, though technically in the possession of the House, had been presented only that evening, and could not have been read by the majority of Members then present. Neither would he enter into any discussion with respect to the law of settlement, a question which was not before the House. The hon. Member for Dorsetshire had given notice of his intention to bring forward, after Easter, a substantive measure for the repeal or material alteration of the Poor Removal Act of last Session; and upon that subject he wished to be permitted to address a few observations to the House. It was by no means his intention to deny that the interpretation which the law officers of the Crown had given to that Act—and no doubt it was a correct and sound interpretation—had imparted a more extensive operation to the measure than was originally contemplated either by him (Sir J, Graham), who introduced it, or by the House, which passed it. He made that admission distinctly; and he would not have concurred in the report which the Committee now sitting had presented to the House, unless he had satisfied himself by the evidence up to that time received—corroborated by that which had been subsequently given, and which had been presented to the House that day—that the more extensive operation given to the Act by the opinion of the law officers of the Crown, was decidedly and greatly beneficial to the poor. It was not necessary to argue the question at length upon that occasion, but he would simply lay before the House and the country an outline of the great benefits which, on the balance, the more extensive operation of the Act had conferred upon the poor. The hon. Member for Dorsetshire had incidentally raised a discussion on the Act of last Session, for the purpose of directing public opinion to this question; and under those circumstances he felt that he should fail in his duty if he omitted to avail himself of the opportunity of explaining that the present operation of the Act—though not originally intended—had been of signal advantage to the poor. It was impossible to deny that with respect to one class of poor persons, the Act had operated with some degree of harshness—he meant those resident in one union, and having their settlement in another, and who had heretofore received relief at the place of their residence from the place of their settlement. The Act of last Session had created some doubt as to the way in which relief should be given to this class, and in some cases hardship had been endured in consequence. But he would call the attention of the House to some large classes of poor, on whom the Act, as it now stood on the Statute-book, had conferred inestimable benefit. First, there was the great division of the sick poor, who, unless they were permanently afflicted, could not be removed. Another most numerous class consisted of those residing at a distance from their place of settlement, who had conferred on their place of residence the advantage of many years of their labour, and who, even though in the extremity of destitution, from fear of being removed, had not hitherto applied for relief. But, as the law now stood, this class of persons did not hesitate to apply for relief, because they were irremovable. Another class were those resident in a place without any settlement; they also, if they had resided for five years, were now entitled to relief. He saw hon. Members connected with Ireland opposite; he knew not if any Scotch Members were present; but the effect of the law had been to give to the natives of both those countries residing in England, the relief they were justly entitled to, but from which they were before debarred. He had called the attention of the House to these numerous classes; and he was much mistaken if the hon. Member for Dorsetshire, when he came to deal with the Act, either to alter or wholly to repeal it, would find its operation so plain and easy as he and some others seemed to think. If the Act was rightly understood, with regard to the recipients of relief, the balance would be found decidedly in favour of the poor, and he considered it a just and humane enactment. It was not worth while to discuss whether the construction put on one of the provisions of the Act by the law officers of the Crown was or was not an extension of that benefit; on the proper occasion he should be prepared to argue that it was so. As to the effect of the Act on the ratepayers, he had never dissembled the opinion which he had expressed under circumstances of great difficulty, and had given great offence by expressing it, that in exceptional cases in close parishes, as contradistinguished from open ones, it must operate harshly, and impose an unjust burden upon them. As a member of the Committee, therefore, he had been most anxious to join with the consideration of the Act of last Session, a consideration of the whole law of settlement. He could not avail himself of the advantage of being in possession of the evidence of Mr. Gulson, which the House was not; but he could point to testimony given by that witness, showing, that if they only altered and modified the law of settlement, the Act of last Session, with its present extension, would be not only a great benefit to the poor, but could be put in full operation without the least injustice whatever. As that evidence would soon be in the hands of every Member, he did entreat them to judge of it, not by garbled extracts, but by the tenor of the whole of it—in its entire state. It was the evidence of a gentleman of the highest probity, conversant with the working of the poor law, both in rural and manufacturing districts; who had been actively employed both in this country and in Ireland; and who perhaps possessed a more intimate knowledge of the subject than almost any man. He entreated the House, before it discussed this important question, dispassionately to read the whole of that evidence. It was supported by the testimony of two able persons—the auditor of the Norfolk, Suffolk, and Cambridge unions—a barrister, and gentleman of great experience, and the chairman of a board of guardians in the north of England. The evidence of those three witnesses was presented to the House; and, if fully considered, he was sure the effect produced would by no means aid the proposition of the hon. Member for Dorsetshire, but would sustain the views he had himself ventured to advocate, namely, that the law of last Session could be upheld in its integrity, if they altered and amended the law of settlement itself: by distributing the burdens anew, they would remove all the injustice created by the law as it at present stood, without that revision of the law of settlement.

Mr. W. O. STANLEY remarked, that the right hon. Baronet had confessed that there was great injustice in the Act of last Session, unless it were coupled with an alteration of the law of settlement. It seemed to be the opinion of all the Committee, that the operation of the Act caused great injustice to the ratepayers, and particularly to the ratepayers of town parishes. He could have wished that the Motion before the House, had been brought forward for a different purpose; but at the same time there might be a good deal of good in this preliminary warfare. He trusted that the hon. Member for Dorsetshire would not be deterred from bringing the question of the repeal of the late Act fairly before the House, to be discussed and determined by them. The right hon. Baronet had admitted the injustice of the Act; and it was never too soon nor too late to remedy injustice. Before the House did anything else, they ought, by repealing the Act, to relieve the ratepayers of the town parishes from what was a most intolerable burden.

Mr. EVELYN DENISON felt so much the inconvenience of the present discussion, that he should not have taken any part in it, but for one or two observations which had fallen from Members in the course of the evening. His hon. and learned Friend (Mr. C. Buller) the chairman of the Committee, was, he thought, guilty of one inaccuracy in the course of his address. His hon. and learned Friend's statement was, that the Committee had determined that they would not decide this point until they had come to a resolution on the whole question of the law of settlement. He had never understood that such was the resolution of the Committee; but, on the contrary, that if the inquiry should be protracted till near the end of the Session, then the majority of the Committee, who voted against the hon. Member for Dorsetshire, would feel at liberty to submit to the House the propriety of dealing with the measure of last year. He thought that it ought not to go forth, that the opinion of the Committee was definite and final on that point. He should feel very much indisposed to express any opinion upon the evidence which had already been given; but the right Baronet the Member for Dorchester had made some statements which he could not allow to pass without observation. It was but reasonable that the right hon. Baronet, who was the author of this law, should regard it with so much partiality; but he must say, that as far as the evidence had gone at the present moment, it had not produced the effect on his mind, which it had produced on the mind of the right hon. Baronet. The right hon. Baronet said that this law was generally advantageous to the poor. He thought when the right hon. Baronet said that the law was unjust to the ratepayers, he answered his own former statement; for any gentleman, who knew how these things worked in the country, must be aware that it was not possible for a law that worked injuriously to the ratepayer, to work well for the poor; because, when parish officers felt these paupers pressed on them by an unjust enactment, they regarded them with harsher feelings than they otherwise would have done. As the Committee had determined to take further evidence, he should think it very wrong to express any positive opinion, and he should keep his mind open to conviction. He could only repeat that at present the evidence which had been already taken, had not produced on his mind the effect which it had produced on the mind of the right hon. Baronet the Member for Dorchester.

Sir W. JAMES wished to put a question to the right hon. Gentleman the Secretary of State for the Home Department. The Government were aware that two different constructions had been put upon the proviso at the end of the first clause in the Poor Removal Act. Now, in the evidence of Mr. Lewis, the Poor Law Commissioner, it was stated that it was very possible, in consequence of the different interpretations put upon this Act, that one auditor might act upon one principle in allowing expenses, and another auditor upon another principle. He rose to express his opinion, that either the Poor Law Commissioners or the Government, while the question was still undecided, might direct that whatever course the boards of guardians might take, the auditor should allow the expenses. That direction on the part of the Government or the Poor Law Commissioners, would have no legal effect, but it would still have great weight. With regard to the question before the House, he thought that the Committee had come to a most judicious and reasonable conclusion, in determining not to come to an opinion on the Act of last Session till they had determined the question of settlement generally. If the hon. Member for Dorsetshire brought in his Bill, he thought it would be more judicious to confine its operation to an interpretation of the proviso in the Poor Removal Act, than to attempt to repeal the law altogether.

Mr. NEWDEGATE felt much indebted to the hon. Member for Dorsetshire for the notice which he had given. Some remedy, it appeared, was to be applied to the law of settlement; and last Session the right hon. Gentlemen had applied a blister in the form of the present system of removal. The Committee, a great number of whom were in favour of extensive change in the law of settlement, were extremely anxious to retain that blister on the patient. [Mr. Wakley: Hear, hear!] The hon. Member for Finsbury cheered that observation. He thought the hon. Member for Dorsetshire should do justice to the country by endeavouring to remove that blister before he asked the House to consider the law of settlement, the abrogation of which might entail the destruction of the parochial system.

Sir G. GREY said, the course suggested by the hon. Baronet (Sir W. James) had been already taken by the Poor Law Commissioners.

Mr. WAKLEY said, the hon. Member (Mr. Newdegate) had compared the Act of last Session to a blister; he was sure it was a capital medicine, it was so extremely disagreeable to the patient. Those who sought to repeal it were tyrannical boards of guardians, and the gentry who had no partiality for paying poor rates. He believed the Bill in the main was a good one; if they compared the good it had done with the evil that had flowed from it, the former would preponderate to an immense extent. He could confirm what the right hon. Baronet (Sir J. Graham) had stated on this subject. The ratepayers of the metropolis did not complain of the law, though it pressed upon them; they felt the justice of that pressure; they admitted the harshness and cruelty of sending persons from this country to Scotland or Ireland, where they could get no relief. Since this Bill had been in operation, not one of the Irish had been sent back; and the ratepayers asked how they could in justice do it, when they knew that if they sent them back to Ireland, they sent them to starve. The great proprietors of Ireland and Scotland had staved off an effective poor law too long; but he hoped they would not succeed in staving off from them much longer a law similar to the one which had been in operation in England for 300 years. The small end of the wedge had been already got in, and he hoped the people of England would see it driven home until the poor of the three kingdoms were relieved on the same principle. So far from lamenting the immigration of so many Irish paupers into this country, he wished they would come over in still greater abundance. For his own part, he should be delighted if 2,000,000 of them came over to England next month. It would be the first thing that would bring Parliament to its senses with respect to the operation of the Irish poor law. He had been told yesterday that in the parish of St. Andrew, Holborn, out of every shilling paid to the poor, 11*d.* was paid to the Irish who had no settlement there whatever. In the parish in which he (Mr. Wakley) himself resided, 27,000*l.* was collected last year for the support of the poor, 20,000*l.* of which was paid to the Irish. Did any one grudge them this? He hoped not; for he admitted their right to relief—charity was out of the question. He wondered how the landed proprietors of Ireland and Scotland, who denied the right of the poor to relief, could expect to be secure in their possessions, when there were hundreds and thousands of persons willing to work in a state of destitution bordering on starvation. He was surprised that the foundations of society were not shaken with such a state of things. He denied that the poor law was founded on a principle of charity; he considered it to rest on a higher and safer foundation—he considered it to be founded on a principle of strict justice; and he warned the House, if they considered the Poor Removal Act to be injurious in its operation, to take care in repealing it they did not inflict a still greater injustice upon the destitute people of this country.

Captain HARRIS wished to impress upon the House the importance of not leaving this law in doubt. If, however, it were made plain and clear, he believed it would be found to work fairly enough, for he considered it to be founded upon a good principle.

MR. BROTHERTON remarked, that he had supported the Poor Removal Bill when first introduced; he considered that it would be a humane measure if properly carried out, and he was still of the same opinion; but he thought there had been some harshness in its operation in consequence of the construction given to the Act by the law officers of the Crown. He thought, that if the rich were made to contribute to the support of the poor over a more extended area, it would tend to meet the justice of the case.

MR. BICKHAM ESCOTT confessed himself puzzled to know the object of the present debate. If the object of the hon. Member for Dorsetshire was merely to obtain information by the production of the document asked for in his Motion, there was surely no need of all this discussion upon it; and if, as he had announced, he intended to bring the Bill which had been passed last Session under the consideration of the House after Easter, what was the use of debating it now? He differed with that hon. Member in thinking that the opposition of the people had been directed merely against the Act of last Session. That opposition was directed against the whole system. There was a strong feeling among the inhabitants of the towns, as well as the inhabitants of counties, that there ought to be some substantial change introduced with reference to the whole administration of the Poor Law; and the people knew that Parliament could not enter into the question of the removal of the poor, without at the same time taking up the great question of settlement; and that they could not enter into the question of settlement, without taking up the question of the general rating of the country; and this, it was hoped, would lead to the adoption of a measure by which funded property, which at present contributed nothing, should be brought to contribute along with landed property its fair share towards the maintenance of the poor. He hoped that the Member for Dorsetshire, therefore, when he brought forward his Motion, would not imagine that the indignation of the people in towns was confined to this measure alone; but that they considered it merely as a part of a great question which needed thorough inquiry and thorough revision at the hands of that House.

MR. S. WORTLEY considered that no conclusion of the inquiry now going on would be satisfactory that did not lead to an abolition of the law of settlement, as well as to a repeal of the Poor Removal Bill.

MR. BANKES, in reply, hoped that those Irish paupers who accepted the invitation of the hon. Member for Finsbury, would quarter themselves upon his constitutents. The Poor Law Commissioners had submitted six questions to the law officers of the Crown for their opinion. Only one of those questions was known to the House; and he (Mr. Bankes) thought it important before he attempted to amend the law, to be put in possession of the other five. On the present occasion, however, he should not press the Motion to a division.

The Motion was then negatived without a division.

RAILWAY RETURNS OF EXPENDITURE.

LORD G. BENTINCK said: Sir, in moving for the returns of which I have given notice, I must commence by expressing my regret that the right hon. Gentleman the Member for the University of Cambridge should have thought that I was wanting in courtsey to him in calling his attention to the fact, that, in moving for these returns, it was my intention to make some comments upon that which I described to be a marvellous statement. Sir, it is extremely difficult when any Gentleman in this House has to apply the scourge, to make it pleasing to those on whom it may fall. Hit high or hit low it is all the same—it is very difficult to make it pleasing to the victim. But a statement has gone forth to the country, under the authority of an ex-Chancellor of the Exchequer, relative to the expenditure of railways in this country, which is so extraordinary, and, in my opinion, so calculated to foster an opinion in this country that large expenditure in railways does not conduce necessarily to the general prosperity, that I feel it my duty to enter into some details to prove that that statement is very far removed from the truth. It will be in the recollection of the House the statements which had gone forth to the country, and which could not have been originated in ignorance, that the expenditure on the London and Birmingham, the Grand Junction, the Great Western, the Brighton, the South Western, and the South Eastern Railways, was represented as having taken place "previous to the year 1841, years in which there was a great deficiency in the revenue of the country." These years of "great deficiency," previous to 1841, it is well known to the House, were the years 1839 and 1840, in each of which the deficiency in the revenue exceeded 1,500,000*l*. Yet the right hon. Gentleman's statement was this—that in the course of those years of "great deficiency," the expenditure on seven railways which the right hon. Gentleman named, exclusive of an expenditure of 10,000,000*l*. which had taken place on seven other railways which he did not name, amounted to no less a sum than 37,729,000*l*. Now, Sir, I think that if the country could be brought to believe that in the course of two years 37,729,000*l*. could be expended on seven railways alone, without producing great and manifest prosperity, it would be hopeless for me at any time to be able to persuade the Parliament of this country or the country itself to approve of appropriating large sums of money to stimulate private enterprise in the construction of railways in Ireland. Sir, this statement went forth, and it went forth on great authority, inasmuch as it proceeded not only from a Gentleman who had lately filled the office of Chancellor of the Exchequer, but it was also propounded on the authority of the report of that Railway Committee of which that right hon. Gentleman was himself a Member, and this statement, at the time, was received with great cheers by this House. I shall now take the liberty to refer to this statement; and in doing so I shall commence with the London and Birmingham Railway, respecting which the right hon. Gentleman stated that, previous to the year 1841, 8,250,000*l*. had been expended. I am bound to say that that statement, on the very face of it, appears to me to be a surprising statement; and the more so as it fell from an individual who held the office he did under the late Government. True it is, that in the pages of this thick volume which I hold in my hand is to be found the statement that the London and Birmingham Railway Company had received authority from Parliament to raise 8,250,000*l*. If any Gentleman will take the trouble to look at page 407, he will find in the centre of that page, that the whole capital which the London and Birmingham Railway Company had been authorized to raise up to the year 1846, corresponded with the figures quoted by the right hon. Gentleman, viz., 8,250,000*l*. The very heading of the paragraph in which these figures are to be found, tells us that the Acts of Parliament under which that authority was given, amounted to no less than ten, six of which had been passed subsequently to the year 1840; and four alone passed previously to the year 1841. But, Sir, that is not all. At the very head of the column—at the very page from which the right hon. Gentleman took the statement he made—he would have seen that the whole cost of the construction of the London and Birmingham Railway amounted to 5,994,336*l*., so that I cannot help saying that the statement by the ex-Chancellor of the Exchequer was a most surprising one indeed. Well, Sir, I must proceed. The next railway, the right hon. Gentleman referred to was the Grand Junction Railway; on this railway, he stated 4,638,000*l*. had been expended, whilst in truth, it had cost but 1,921,496*l*. On the Great Western Railway, the right hon. Gentleman's statement was, that the expenditure amounted to 8,282,000*l*.; the expenditure up to the autumn of 1840 having only amounted to 4,108,000*l*. On the London and Brighton Railway, the right hon. Gentleman stated there had been expended 2,867,000*l*.; it had only cost 1,166,540*l*. On the South Western Railway, the right hon. Gentleman did not commit so great an error, the expenditure, as stated by him, being 2,600,000*l*.; it had been 2,254,386*l*. The right hon. Gentleman, however, acquired courage as he proceeded; for when he got to the South Western Railway, on which was expended 324,405*l*., he no longer contented himself with trebling or doubling, or multiplying sums, either two or three fold, but, with magnificent contempt, scorned such a simple process, rushed at once into decimals, and multiplied 324,405*l*. into 3,857,000*l*. Next we have the Midland Counties Railway, on which we were told was expended 7,235,000*l*.; whereas the expenditure on the Midland Counties Railway, had been 1,257,811*l*. But as I am willing to give the right hon. Gentleman credit for entire ignorance on all these subjects, I will assume, when he took the Midland Counties Railway, that he included the expenditure of the North Midland and Derby and Birmingham Railways, at a later period amalgamated with the Midland Counties Railway; but even were that so, still the entire expenditure from the very first commencement of those railways amounted only to 4,723,753*l*. Thus upon these seven railways, from their commencement in the year 1836, when they first obtained their Acts of Parliament, the entire expenditure upon the whole of them amounted to 20,437,115*l.*; while the right hon. Gentleman has sent forth the statement to the country, that the expenditure on these railways, in years of "great deficiency in the revenue," as he gave this House and the country to understand, was no less than 37,729,000*l.* That was the sum stated by him to have been expended on seven railways; so the ex-Chancellor of the Exchequer, you see, was wrong in his calculation to no less amount than 17,291,000*l.* If that be not a marvellous statement to come from a right hon. Gentleman who once held the high post of Chancellor of the Exchequer, I do not know what statement can be so termed; and after such a statement as this, I want to know what statement that right hon. Gentleman can make to this House or to the country that ought to be entitled to credit, or that could be trusted as a correct statement? But that is not the whole case, because the right hon. Gentleman, to answer my speech, came down to this House in the most deliberate manner, having with him the authority of this Railway Committee's report, of which Committee he himself was a member, and from that report made the statement that all this expenditure had taken place in those years when "great deficiency had occurred in the revenue." As the only years of that "great deficiency" were the years 1839 and 1840, the impression which was intended to go forth to the country was, that this large sum of 37,729,000*l.* was expended in the years 1839 and 1840; whereas I find that the entire sum which was expended in those two years on railways was but 9,708,997*l.*; therefore, taking that view of the question, the right hon. Gentleman is wrong, not to the amount of 17,000,000*l.*, but to the amount of 28,000,000*l.*; and when we reflect that this statement was made after so much deliberation, and with all the pomp and circumstance of an ex-Chancellor of the Exchequer, with the report of the Committee of which he was a member in his hands—when we reflect on all the pains and trouble that had been taken by the right hon. Gentleman that his statement should go forth correctly to the country—when we see in the official organ of that party the figures arranged in methodical order, and in perpendicular columns, denoting they had come from an official source—I think the House will agree with me that I have not unduly occupied its time in showing the little reliance which can be placed on either the statistics or the statements of the right hon. Gentleman. I think when it goes forth to the public—when it goes forth to the country—when it goes forth to Ireland, that the pressure upon the Government, which was wavering whether or not to accept the measure which I propounded to the House, emanated from this same right hon. Gentleman, and that he it was who fixed the First Lord of the Treasury to a declaration that he would resist the second reading of that Bill—what a sad reflection must it be to the people of Ireland to think that Her Majesty's Government should allow themselves to be led by such a "blind guide" as this! I have stated that the years 1839 and 1840 were the years, the first years, of a great deficiency in the revenue. True it is there was a deficiency of 655,000*l.* in the year 1837, and of 345,000*l.* in the year 1838; but that deficiency arose from a reduction of taxes of upwards of 930,000*l.*, and not at all from the ill condition of the country; but in the year 1841 that deficiency increased to 2,100,000*l.*, and in 1842 to 3,979,000*l.* Was there, I would ask, in those two years a greater expenditure of money on railways? Far from it. I find that in the course of those two years there was expended on the London and Birmingham Railway 255,625*l.*; on the Great Western, 2,043,800*l.*; on the London and Brighton, 1,480,466*l*; on the South Western, 539,614*l.*; on the South Eastern, 2,171,595*l.*; on the North Midland Company, including Birmingham and Derby, 1,518,547*l.*; the Grand Junction Railway, 272,313*l.*, showing an aggregate of 8,282,000*l.*, or an average of about 4,000,000*l.* a year expended on railways. I think, therefore, I have given a complete refutation to the statement which was brought forward on the authority of the right hon. Gentleman; and I must say, that when it goes forth to the country that the right hon. Gentleman added the extravagant amount of 17,000,000*l.*, according to one calculation, and 28,000,000*l.* according to another calculation, let him put the best face he can on the matter, as to his argument or his deductions from that argument, on the expenditure of the seven railways, I am justified in coming to the conclusion that it cannot be said to be a mere "trick of the trade," neither can it be looked upon as no more than poetical licence, or a rhetorical artifice; but that it must be pronounced to be by others what I have already designated it—one of the most marvellous statements that ever was made to this House, or that ever was made to the country by any Gentleman who ever held so high an office under Her Majesty's Government as that so lately enjoyed by the right hon. Gentleman the ex-Chancellor of the Exchequer. I now beg leave to move for a Return—

"Showing the amount of money expended in the actual cost of construction and of working stock (including locomotive engines, carriages, tools, &c.) of all Railways in Great Britain and Ireland, in each triennial period, previous to the 1st day of January respectively, in the years 1841, 1844, and 1847. Also a Return, showing the sums of money actually expended by the following Railway Companies previous to 1841:—London and Birmingham, Grand Junction, Great Western, Brighton, South Western, South Eastern, and Midland. Likewise the aggregate sum expended by the above-mentioned railway companies, in each year previous to 1841."

Mr. GOULBURN: I regret that I have been the innocent cause of inflicting upon the House a somewhat lengthened speech in support of a return to which, I believe, no individual in the House is inclined to offer any objection. But I can, I think, satisfy the House that it is not owing to me, or any statement coming from me, that they are subjected to that inconvenience. If, on the occasion when I delivered the explanation which the noble Lord has thought it his duty to notice, he had availed himself of the privilege he then enjoyed—the House being in Committee—of observing upon any error in the statement I had made, or, labouring under any misapprehension with regard to it, had asked for an explanation, I should have been ready on the instant to have given him that explanation which I am now about to give, and thus might have prevented the necessity of taking up a separate day with a separate discussion on the subject. The noble Lord has said that those who have been Chancellors of the Exchequer, and made erroneous statements and calculations, are bound to suffer the penalty of being deemed unworthy of their office. I again may say, that those who expect to be Chancellors of the Exchequer, and make gross misrepresentations of what falls from Gentlemen in debate, and found upon those misrepresentations imputations of falsehood or error—those by whom much things are asserted, are not very fit for the office they are thought to aspire to. With this observation I shall state to the House what it was I did say on the occasion to which the noble Lord refers, and then what I have to state in vindication, both of the entire truth of the statement I am making, and the force of the argument I used. The noble Lord says, that in making that statement I was particularly unpardonable, because I was referring to what had occurred three weeks before; but I am afraid he imputed to me a practice he appears himself to have pursued, of taking some days before he follows a statement which has been made. If there are Gentlemen in the House, who were present on the former occasion, they will know that what I stated on the discussion on the budget in this House, was in strict reply to the speeches made on that very evening before me, and had no reference whatever to arguments used in the former debate, to which the noble Lord adverted. Now, if he will give me permission, I will exactly state what was the course of argument on that occasion, and the statements I made. The Chancellor of the Exchequer, in opening his budget, had adverted to the revenue of the years 1842, 1843, 1844, 1845, 1846, and had, after stating with respect to a number of articles that there had been a progressive increase in the consumption of many, attributed that—and in my mind justly—to the changes made in the commercial policy of the country. The noble Lord, in the course of the speech he then delivered, animadverted upon the statement made by the Chancellor of the Exchequer, and made observations the tendency of which was to show that that right hon. Gentleman had falsely attributed this increase to the alteration in the financial policy of the country, and that it was attributable to the employment of labour in the construction of railways. I have a note of what fell from the noble Lord on that occasion; and he said, "What had free trade to do with that result? It was railway enterprise that had done it." I took the liberty—for liberty it is in the noble Lord's opinion—to animadvert, in my observations, upon the arguments the noble Lord had used; but I meant nothing like personal offence to him in any observations I might use; nothing that would justly call for expressions such as the noble Lord has used to-night, which I am willing to suppose must have arisen from excited feeling. And I said, in answer to that statement of the noble Lord, that you also had railways going on to a considerable extent at periods when there was a deficiency of the revenue on several years. And having stated that as the outline of my argument, I adduced in support of it a document taken from the report of the Railway Committee. The noble Lord said I confined my observations to the years 1839 and 1840; and he afterwards said, in another part of his speech, that these were the only two years in which there was a great deficiency. Why, in his own speech the noble Lord afterwards stated that in 1841 there was a deficiency of about two millions, and that in 1842 there was deficiency of about three millions; and in antecedent years to which he thought fit to fix my statement, for the object of this evening's debate, there was an equal deficiency. The statement I made was, that there had been great railway expenditure in years of deficiency; that therefore, if railways were the cause of prosperity, the railways would not have coexisted with the deficiency that was found to exist in those six years, during which there was a deficiency; and the noble Lord then said I made a statement of what certain railway companies had expended in the course of those years. I did no such thing. I stated to the House—and so it is that I find my statement reported in what we are not at liberty to advert in this House, except incidentally—I refer to those memoranda of our debates which convey them in some degree to the public —I find that what I stated is there correctly given, and that what I said was, that the sums raised for railways that were in progress, or in the course of completion during the years of deficiency, amounted in the whole to the sum which I then mentioned, and which the noble Lord admitted to the House, and which it is unnecessary to go through in detail, but the total amount of which reached about 47,700,000*l*. I stated this, and I did not leave the House to be in doubt as to the quarter from which I derived my information. I stated to the House distinctly that those were sums that had been raised for the railways in question, and they were stated in a report made to this House in the year 1846 by the Committee which was called the Morrison Committee. The noble Lord has endeavoured to fix a charge upon me, that I stated they were sums expended in the years 1839 and 1840. I said no such thing; but I said what that blue book said, that they were the sums which were raised up to that date for the purpose of completing the railways in question. The noble Lord said, if I looked at this paper that I should have seen those were the sums to be raised. I do look at the paper, and I find that a company had raised a capital of 8,250,000*l*. I have no doubt that if I were addressing an assembly that was not in the habit of considering subjects of this nature, I should be more particular in my observations, and explain that although that company had raised 8,250,000*l*. it was clear they did not expend it all in one year; and I should not leave them to make the speculation which the noble Lord has put into my mouth. Now, there are two ways of addressing this House: one way is of addressing it as an educated assembly, which can themselves supply the obvious topics that are suggested in the course of an argument. There is another mode also of addressing the House; that is, to go through every point of detail; to weary the attention of the House by going through every minute point which every man's intelligence would suggest to him. If I prefer the former mode, and do not think fit to take the latter, it is because I do not wish to make my speech more tedious than is necessary. When I saw the Birmingham Company had raised 8,250,000*l*. for the purposes of the railway, could any person so misunderstand the ordinary meaning of that statement, as to suppose that the whole sum was to be applied in one year? The whole imputation that rests upon me is, that the noble Lord put into my mouth a statement I never made. He said I stated to the House that those sums were expended in the course of two years, the only years of deficiency. I stated no such thing. My argument applied to the whole of the years of deficiency, beginning in 1839, and ending in 1843, and to the sums raised for the railways to which he was addressing himself. So far the statement I made was literally true, and is not capable of contradiction by any man who looks into the subject. But then the noble Lord said I used this argument unfairly, and that I intended to impress upon the House that there was a considerable expenditure for railways during the time the revenue was deficient. It is not very easy for an individual who has not had the able assistance of the hon. Member for Sunderland, to know precisely the amount that may be expended within a given period upon a particular line of railway; and therefore I do not take shame to myself for not being able to state to the House the actual sum expended within the period to which I refer. I could only deduce it from the statement I made to the House; the House could itself deduce it from the same source; and it was for them to judge how much of the 47,000,000*l.* were expended within the period to which I was referring. That it could not be an inconsiderable portion was obvious; for in that period all the great lines that connect the metropolis with the country, were the lines that were completed; and two of the lines going to the north were at that period also completed; and therefore a considerable portion of the whole expenditure must have occurred in the period when the deficiency was accruing in the revenue. But this is not my opinion alone. It rests upon the authority of other opinions than mine. A return was presented to Parliament in the year 1846, which stated the sum the different railway companies were empowered to raise, and which in 1839 was taken to amount to 57,700,000*l.*; that was two years after the commencement of the deficiency. A considerable portion of that sum, therefore, fell within the period to which I have been adverting; but there is another evidence to which I would refer on this particular point, because it is evidence to which the noble Lord will, I think, pay as much credit as I pay. It was a statement made in 1844, on an examination that took place before a Select Committee on Railways. Mr. Laing was asked, "What has been the whole amount that was laid out in the construction of railways?" And Mr. Laing stated, "The whole sum now is 64,000,000*l.*" This was in the year 1844, the expiration of the period to which I am referring; and though I deduct the railways that were completed previous to 1837, of which I have no distinct account, I do arrive at an amount of payments on account of railway construction between 1837 and 1844 which goes to justify the statement upon which the whole of my argument was founded; namely, that coexistent with a deficiency of revenue, there was a large expenditure in railway speculation, and consequently that I could not justly attribute the whole increase of the revenue that took place to the sums that were expended in railway speculations. I will put it to any hon. Members of the House who heard the statement I made on the occasion, whether I have not given an explicit account of what I stated. I would refer them to the means that exist of ascertaining what was said, and in which, though sometimes more shortly than it is uttered, the substance is generally correctly given of what falls from hon. Gentlemen in this House—I will refer them to that as in every respect establishing what I have said, and as justifying the statement I made, and the argument I deduced from it. The noble Lord is perfectly at liberty to put words into my mouth, and to deal with them as a trick of trade or a rhetorical artifice, and to apply to them any expression he pleases. If the language were mine, I might really feel hurt at those expressions; but when they are addressed to the language of the noble Lord himself, which is totally different from any that fell from me, I merely ask the House to decide to whom these terms are most justly applicable—whether to the individual whose statements are misrepresented, or to the individual who makes the misrepresentation.

Mr. DISRAELI said, that it was the intention of his noble Friend to have referred to the mis-statements at an earlier period had he had an opportunity of so doing; and that must account for the delay of which the right hon. Gentleman had complained. He hoped that the House would allow him to make a few observations on the Motion before the House, because he was present when the original debates which had been alluded to took place. He was surprised to hear the right hon. Gentleman the Member for the University of Cambridge express his belief, that his noble Friend, in bringing this subject before the House, was influenced by personal feeling or irritation. His noble Friend justly felt that this was a subject of the greatest importance, and that it was his duty to bring it before the consideration of the House. It was all very well for the right hon. Gentleman to tell them, that in the course of his late observations on the plan of the noble Lord, he did not resort to any rhetorical artifice; that he knew he was not addressing a vulgar assembly, but an enlightened Senate; and that he had, therefore, omitted the details, which it would be otherwise necessary for him to have brought forward. But there was not the slightest doubt that the question before them was not a mere question of accuracy on the part of the noble Lord or the right hon. Gentleman; it was a matter of whether it should go forth, promulgated on the great authority of the right hon. Gentleman, with respect to a question in which the public of this country were interested, probably more than in any other, that the statement of the noble Lord, to the effect that the employment of the capital of this country in public works would benefit the country, was erroneous; the question was, whether the proceedings of that public should be arrested—whether public investment and the spirit of public enterprise should be defeated by the declarations of a person of great authority, who had held a place of great authority, and who had apparently referred to documents of great authority, all of which tended to give an impression totally different to, and totally the reverse of, that which was the fact. Whether the right hon. Gentleman were accurate or inaccurate on this question, he would venture to say a few words afterwards; but if there were a misapprehension on so very important a subject—on a subject which concerned this nation at the present moment more than any other subject—if there were any misconception upon the opinion of an individual of all others, probably, the most qualified to give his public opinion—surely he (Mr. Disraeli) should think that the noble Lord, or any other public man, ought to take the first opportunity of rectifying the statement respecting which such a misunderstanding had taken place. Now, what (continued the hon. Member) is the general impression on this subject, both in this House and out of doors? That a statesman of great experience and of high authority has, from his actual knowledge of the question, taken an opportunity of propounding this opinion, that a great expenditure of the capital of this nation in railway enterprise has by no means necessarily a beneficial effect upon the revenues of the country. [Mr. GOULBURN: No, no!] This contradiction, then, on the part of the right hon. Gentleman, fully shows how necessary it is to have this debate; for after having listened to the right hon. Gentleman on the former occasion as well as the present, I have still not been able to ascertain his views upon the subject. I rather think, therefore, that such circumstances show some necessity for this explanation. I am still at a loss to know what was the object of this statement of the right hon. Gentleman. I will, certainly, be perfectly frank with the right hon. Gentleman, and admit this, that it was the intention of my noble Friend, and certainly of many of those who act with him, to give their attention to this subject, for the purpose of showing that the expenditure of money on the extensive railway undertakings in this country, had been beneficial to it, and was calculated to increase the revenues of the country. If the right hon. Gentleman wished to attempt to establish the converse of that proposition, we shall obtain a great deal of good by this discussion; because we shall bring, probably, the right hon. Gentleman at least into a neutral position upon this question. Sir, I understood the right hon. Gentleman —I speak not now from any documents, either of an authentic or authoritative character, or such as are not recognised by this House; but certainly I speak from memory, and I do not think it will deceive me—I understood the right hon. Gentleman to use these words — and the circumstance of the expression being of a remarkable character makes me remember them. The right hon. Gentleman said, that "the noble Lord seems to think that the prosperity of the country is supported by an expenditure of its capital in railroad enterprise, and particularly by those undertakings in which his hon. Friend the Lord Mayor of York (Mr. Hudson) was concerned." Now, I was very much astonished by that expression; because my noble Friend had not made the slightest reference to the hon. Member for Sunderland. Certainly, in another debate, some weeks before, the name of my hon. Friend the Member for Sunderland was mentioned; but on that night the noble Lord the Member for Lynn did not make the slightest reference to the hon. Gentleman the Member for Sunderland; and yet the right hon. Gentleman the Member for the University of Cambridge made that personal allusion to the right hon. Member, which I recollect myself, and find recorded also in those authorities which have been referred to. I make, however, this quotation from memory. I understood the right hon. Gentleman to say, "It is a great mistake to suppose that a great expenditure in railroad enterprise has a necessary tendency to increase the revenue and general prosperity of the country, because we have had very great expenditure in railroads, and whilst we have had that expenditure there was for a period of two years a great deficiency." And, therefore, if the right hon. Gentleman's arguments did not, at least, tend to the proposition that the expenditure of vast amounts of capital in railroads was not beneficial to the country, what was the proposition of the right hon. Gentleman? The right hon. Gentleman said, that we had years of great deficiency simultaneously with great expenditure in railroads; and he, therefore, argued that a great expenditure in railroads did not conduce to national prosperity. But what would have been your deficiency if you had not had that expenditure upon railroads? It would have been much greater. The right hon. Gentleman followed up his dogma by documents and details; he gave you the total expenditure proposed to be laid out upon a certain number of railways—seven, I believe—which would amount to about 47,000,000*l.* The right hon. Gentleman produced a tabular schedule of the proposed capital, and he now says, "I did not mean to say that that was the actual expenditure upon these railroads; I merely said that that was the amount proposed to be expended." Well, then, what becomes of his argument? for his argument was, that you had great deficiency simultaneously with great expenditure upon railroads. He tells you at the same time, "But my table only refers to the amount of capital proposed to be expended, not to that which was actually expended upon these railroads." What becomes of the demonstration of the right hon. Gentleman? Why did the right hon. Gentleman get up and make a speech, when he now tells us, first, that he did not wish to impugn the original proposition of my noble Friend; and, secondly, that the demonstration, or the detail, which he brought forward, did not refer to the actual expenditure upon railways, but to the proposed amount of expenditure upon them? But then you know it comes to this—it is mere monshine. The right hon. Gentleman gets up and says, "You are all wrong about railroads. I will show you that an expenditure upon railroads will not at all advance the national prosperity; for in 1840 we had a deficiency of 2,500,000*l.*, which happened despite the proposed expenditure of 47,000,000*l.* upon railroads." Therefore, you say that the deficiency of 2,500,000*l.* is of more consequence than the proposed expenditure of 47,000,000*l.* But suppose the expenditure proposed had been 87,000,000*l.*—suppose it had been a sum equal to the national debt—suppose it had been in the bubble year, when, I believe, companies were proposed to expend a sum absolutely larger than that national debt of upwards of 800,000,000*l.* But then the right hon. Gentleman might have got up and said, "There is a year of great deficiency, and I will show you that expenditure in public works and by public companies does not produce the slightest effect upon the prosperity of the country, because we had here absolutely a capital proposed to be raised of more than 800,000,000*l.*; and we had a large deficiency." But if not one shilling of that capital was raised, what becomes of the argument of the right hon. Gentleman? As it is not raised, the right hon. Gentleman, when he next comes forward with his tale about vast expenditures upon railways —when we show him that not much more than 4,000,000*l.* was expended, he must admit one of two alternatives—either that his argument is worth nothing if he accepts our facts, or that it is, in fact, upon his own showing, entirely baseless. Now, Sir, I think that is the real state of the case. I think it would have been much more gratifying if the speech of the right hon. Gentleman had been answered when delivered; but my noble Friend was absent at the time; and I think, too, that it was only right that my noble Friend should have introduced this question now to the House; in fact, the statement of the right hon. Gentleman in his absence, I will not say induced, but forced my noble Friend to bring forward this Motion. Statements have gone forth made by the right hon. Gentleman—a Gentleman of high authority, and especially upon these subjects—which my noble Friend finds has influenced public opinion. I believe they have influenced public opinion. I am quite sure that they would influence my opinion, if, not being a Member of this House, and not being cognizant of the true nature of the subject, I should, in my personal character, have heard such statements coming from so high an authority; and, no doubt, there are many persons who must catch the fleeting sentiments of persons of that kind of authority. They go about and say, "Why, here is a Gentleman who has been twice Chancellor of the Exchequer—a very successful Chancellor of the Exchequer—who has twice reduced the national debt, and he must know what he is talking about—he says, the more you spend upon railroads the greater is the deficiency in the revenue; we must get them to vote against the Bill of the noble Lord the Member for Lynn." [Mr. GOULBURN: No, no!] No, no! Of course I put this in illustration of my argument. The right hon. Gentleman said, in answer to my noble Friend, "I did not for one moment address the House on that occasion as if it was a mere common-place assembly, but as one of those highly-educated places, in which you may talk without entering minutely into the details of your subject."

But I may say this, whatever the right hon. Gentleman may choose to say on this subject, now that he has been driven into a corner, there is not the slightest doubt of one fact, that, whatever was his intention, the impression on the House and on the country is one such as I have stated. I am surprised that the right hon. Gentleman should have to get up to-night to quote the opinions which he did when reading from the report of the Railroad Committee of 1844. I would certainly call the statements which he made upon the subject of the amount of expenditure upon railroads up to the time when that Committee sat, "a rhetorical artifice." I never heard him plead with greater dexterity. Although the right hon. Gentleman to-night, when he is obliged to come forward and say that he intentionally gave a false impression to the House with respect to the actual amount of expenditure upon railroads, yet the right hon. Gentleman even now admits and impresses upon the House that there was a vast expenditure in railway enterprise, even in the great years of deficiency to which he had alluded. The evidence of Mr. Laing, he said, showed that in the year 1844 there was an expenditure of 22,000,000*l.* on the various railways of England, and yet there was a deficiency in the public revenue; and that the same had occurred during the progress of the Liverpool and Manchester Railway—a railway which probably would never have been completed, had it not been assisted by the Government. Now, Sir, I really have occupied too much of the time of the House, but I think I have put the case fairly before hon. Members. The noble Lord, in consequence of the impression made in this House and out of doors by the statements of the right hon. Gentleman, and the representations that were made to him by persons exercising great influence upon public conduct in reference to speculations in his public works, did think it his duty that that great misrepresentation should be removed. I think it has been removed officially, and I trust that it will not be repeated.

MR. CARDWELL said, that there were some of the statements of the hon. Gentleman who had just sat down in which he agreed; but he thought that he had been quite *in extremis* in some parts of his argument. He also thought, however, that there had been nothing in the speech of the noble Lord at which the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn) could take offence or exception. There had been nothing in it beyond the fair language of argument as used in that House. The first point at issue on the subject was, whether the statement made by the right hon. Member for the University of Cambridge was strictly and literally correct and true. The second point was, whether the argument endeavoured to be based by him upon that statement had been in substance, and not merely in the letter, a true and fair argument. He (Mr. Cardwell) had been present in the House when the statement had been made, and he understood it to have been made thus: The right hon. the Chancellor of the Exchequer, in the course of his remarks, had said that certain consequences had followed from the financial measures adopted of late years. The noble Member for Lynn, adverting to the same subject, and speaking of the consumption of customable and excisable articles, had said the words to the effect that the consumption of malt had increased between the years 1843 and 1846, from 32,000,000 to 41,000,000 bushels, and had asked what had free trade to do with that result?—that it was railway enterprise that did it—and that 13,000,000 of money had been spent on railway enterprise, and had thus furnished the means of that increase. His right hon. Friend (Mr. Goulburn), then, in answer to that, had made the statement that if it had been railway enterprise and the disposition of the public to engage in railway undertakings which had caused the recent surplus, it was a very curious thing there should ever have been in any year a deficiency, for that it had so happened that during the years of deficiency, which were years beginning with 1837, and going down to 1842, there had been no single railway now constituting a great trunk line in the kingdom which had not been in course of construction. That had been the statement of his right hon. Friend, who had then gone on to refer to documents which had been laid on the Table last Session, with a view to showing the sums which from that document appeared to have been raised upon the whole by railways. That had been the statement of the right hon. Gentleman, and it was literally and verbally true. Now, with regard to the substance of the argument which had been based upon it by his right hon. Friend, there did happen to be a very great railway expenditure during those years; and he had said he could prove it by returns laid on the Table in 1839, which showed that the amount authorized to be raised was 57,400,000*l.*; and that Mr. Laing had stated, in Feb. 1844, that the sum expended upon railways had been 64,000,000*l.*, from which there were to be some deductions made, namely, all the railways passed before 1836, and those in course of construction in 1843, which was a year of surplus; and those deductions had been made by his right hon. Friend, who had excluded from his argument all those railways which could lead the House to imagine that he referred to the expenditure in those years. He should quite agree that his right hon. Friend was unworthy not only to hold the high office which he had held, but to possess a seat in that House, if he had undervalued or disparaged the importance of those great undertakings. The question was, if there had been a little expenditure in the years referred to, why had it been so? It was not because the Bills had not been passed, but because there had been an unfavourable state of trade and of the money market. He was not going to say the financial measures of the Government had been the sole causes of the results which had been referred to. A person would take a very shortsighted view of the case if he left out of view the state of the harvests. Railway enterprise was the natural result of a favourable state of harvest and of the money market; and he recollected that the right hon. Member for Sunderland had, but a few minutes before the noble Lord had brought on the subject, been stating to the House that before the year 1842 he had gone from door to door asking persons to take shares in a railway, in which there was a profit guaranteed of 6 per cent. But to return to the statement of his right hon. Friend, he (Mr. Cardwell) said that it was verbally and literally true, and was consistent with the argument that the result of a good harvest and a sound state of trade was the extension of railway enterprise, which led, no doubt, to the great benefit of the country.

Mr. HUDSON did not think the right hon. Gentleman the late Chancellor of the Exchequer had done justice to the present Chancellor of the Exchequer, than whom he believed no man more appreciated the advantage which the country had derived from capital invested in useful public works. He was not in the House when the right hon. Gentleman spoke; but he could assure him that the impression made on the minds of hon. Members present and on the country was such as the noble Lord the Member for Lynn had stated. The right hon. Gentleman had stated that in 1841 so much money was raised for railroads. It would have been more correct had he said that power was taken to raise so much money up to 1841. The hon. Gentleman who spoke last had stated that the London and Birmingham Railway Company had the power of raising 2,526,000*l.* The real truth was, that they had the power of raising 5,800,000*l.* In the present dispute, one party contended that the prosperity of the country and the revenue had been caused by the reduction of duties, by the free-trade policy of the late Government. Those who thought with him, contended that these reductions had nothing to do with that prosperity, but that it had been the result of capital applied to public works. The hon. Gentleman who spoke last said that good harvests were one cause of prosperity. That was not always the case. There was a good harvest in 1825, yet in that year there was the severest commercial distress. In 1833, 1834, 1835, and 1836, the harvests were also good; yet as the hon. Gentleman must recollect, these were years of severe commercial distress. The right hon. Gentleman had led the House to believe by his statement that from 1838 to 1841 was the period in which railroad capital had been principally expended. The fact was that the London and Birmingham scarcely expended any capital from 1838 to 1841 in the construction of their railroad. The line was commenced in 1833, and was opened in 1839, and the whole of the capital was expended before 1838. The same thing might be said of the North Midland, and other companies of the time. Their capital had all been expended previous to the large deficiency alluded to. They could only deduce from these facts the importance of diverting the capital of the country—as advocated by his noble Friend—to the construction of works of internal communication, and of commercial advantage to the country. He was surprised to hear the right hon. Gentleman the Member for the University of Cambridge now talk so favourably of railway enterprise; for if he was not mistaken the right hon. Gentleman had taken part at a meeting the other day which had been held to discourage railway enterprise by interference of this kind. If it was true that Government had been swayed by the advice of the right hon. Gentleman in their opposition to the scheme of his noble Friend, he looked upon it as most unfortunate. The right hon. Gentleman had, however, been converted; for it now appeared that he was favourable to railway enterprise. He was sure that the present debate would be useful, because it would remove an erroneous impression from the public mind, and would show the advantages which followed the application of capital to the construction of works which tended to the prosperity of the country.

Motion agreed to.

House adjourned at a quarter past Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, March 3, 1847.

MINUTES.] PETITIONS PRESENTED. By Mr. Hutt, from Rev. J. Jordon, Vicar of Enstone, for Reform in the Church of England.—By Lord J. Russell, from London, for the Abolition of Ecclesiastical Courts.—By Sir B. Hall, from Holywell (Flint), for Inquiry respecting the Rajah of Sattara.—By Mr. Brotherton, from several places, against the Use of Grain in Breweries and Distilleries.—By Lord G. Bentinck, from Horton, for the Repeal of the Anatomy Act.—By Mr. Wakley, from London, for an Extension of the Baths and Washhouses Act.—By Lord G. Bentinck and other Hon. Members, from several places, in Favour of the Ten Hours Factories Bill.—By Mr. Wakley, from Lambeth, respecting Scarcity of Food.—By Mr. Liddell, from the York and Newcastle Railway Company, against the Railways Bill.

FACTORIES BILL.

MR. FIELDEN moved the Order of the Day for going into Committee on this Bill.

On the Motion that the Speaker leave the Chair,

MR. B. ESCOTT hoped, on the present occasion, to experience that indulgence and attention from the House which it always was most generously disposed to give to every hon. Member, whether he agreed with or dissented from the majority on any question submitted to its consideration. On the present occasion, in the conscientious discharge of his duty, he thought it necessary to urge those arguments against the measure before the House, which he believed to be conducive to the permanent welfare of all classes of this country. He was well aware that he had no intimate knowledge of the subject, nor did he lay claim to the attention of the House as the representative of a constituency which was peculiarly interested in the measure before them. It had, however, been thought by some that a question, which was conducive to the general interests of the public, might be fairly taken up by one to whom could not be imputed any interested motives, either as regarded himself or those whom in that House he represented. If he thought the question were one in which the interests of the mill-owners, or of the factory workmen were alone concerned, he would not urge its reconsideration on the attention of the House; but because he believed it to be a great question in which not only the interests of the whole labour of the country was concerned, but which involved the profits of capitalists, the wealth and stability of our commercial prosperity, as well as the general interests of England, he asked for its calm and dispassionate consideration. It would not do now to answer him by saying that on former occasions the House of Commons, by a large majority, had agreed to the principle of the Bill. The forms of that House, after being well considered and long established, always gave the opportunity on various occasions to reconsider the bearing and objects of such measures as were submitted to its attention; and the present was one of those legitimate opportunities which was afforded to take a calm and dispassionate view of those arguments which had been advanced in favour of the second reading of the Bill, as well as of the arguments that were adduced in support of the measure out of doors. He admitted that the Bill came under the consideration of the House under circumstances very different from what it did on former occasions, and in some respects much more favourable to its final success. The Bill was not now introduced under the auspices of a young nobleman, who, on account of his hereditary position, would be called to act in another sphere, as he could not in the course of nature be permitted very long to represent the people in the House of Commons; and who might not be unwilling to gain for himself a little popularity—an honourable popularity—by the advocacy of a measure which large masses of the people believed likely to promote their welfare; while others, and not the least informed, thought it would prove destructive of their best interests. The Bill, on this occasion, was introduced by the hon. Member for Oldham—one who had grown old in employing the people; an individual who was the architect of his own fortune; who, by his exertions, enterprise, and capital, raised himself to that rank and situation he now enjoyed, and to which the humblest man in the country could also elevate himself by his talents, his industry, and his perseverance. That hon. Member came forward to advocate the rights and interests of men, through whom all his wealth and station were acquired. But the question now to be considered was, not by whom the Bill was introduced, or what were the motives by which it was submitted to that House; the question being—was the hon. Member for Oldham right in giving his support to the Bill? That was the question. He would consider the measure under three different aspects. First, he would call the attention of the House to what was the real nature of the provisions of the Bill. Having done that, he would call its attention to the time and to the circumstances in which the measure was proposed; and then he would state as plainly and as succinctly as possible, for the information rather of the country than of that House, how the measure, if carried at all, would pass through that House. It was a Bill to limit work in factories to ten hours a day; and the principal arguments in favour of the measure, were the arguments on which the right hon. Gentleman the Secretary for the Home Department mainly relied—arguments which were advanced over and over again to prevent further opposition. It was stated the time was come when it would be expedient for all classes to have the question settled. The right hon. Gentleman said, the question not only ought to be settled as regarded the interests of both masters and men; but he also said that the tide of public feeling was so strong in its favour, that it was incumbent on them, in deference to public opinion, to settle the matter. But how did that right hon. Gentleman mean to settle the question? The tide of public feeling was in favour of a Ten Hours Bill. The petitions which were presented by the noble Lord the First Lord of the Treasury, as well as the petitions presented by the hon. Member for Finsbury, were for a Ten Hours Bill. Was there, he would ask, one petition in favour of an Eleven Hours Bill? And yet the intention of some was, the moment the Speaker would leave the chair, to make the Bill an Eleven Hours Bill. Would any consistent advocate say that that would satisfy the people, or that the question would be settled by an Eleven Hours Bill? He understood that a letter appeared from a noble Lord (Lord Ashley), praying the Administration to give their support to an Eleven Hours Bill, as the factory people would consent to such a limitation. Did the noble Lord say that would settle the question? No; for that noble Lord stated the people would take the Eleven Hours Bill until they got the Ten Hours Bill—that they would "defer the period of the Ten Hours Bill until the benefit of the enactment should have been experienced by two years." They would take the chance of two years as an experiment, when renewed agitation would commence, if necessary, for the Ten Hours Bill. If it were his intention to answer that noble Lord, he could soon prove that even a Ten Hours Bill had but a poor chance to settle the question. He remembered to have read a speech delivered by Mr. Oastler, at a meeting of factory operatives, in which he proposed eight hours, a measure which Mr. Oastler said would be necessary to afford the working men sufficient time for relaxation from toil; and he believed the voice of that meeting was in favour of Mr. Oastler's proposition for an Eight Hours Bill, and which, if granted, they would next demand a Six Hours Bill. The present legislation, in his opinion, would not, therefore, settle the question. Its effect would be only to cripple the industry of this great country. Many of those mills which had been constantly at work for the last five or six years, and from which was derived that capital which gave employment to the people, the Bill would so injure as to destroy the whole profits of that trade by which they had employment. The result would be, by what was called the charitable interference of that House, that those who now found it difficult to maintain themselves in comparative comfort, would be thrown as paupers for subsistence on the poor rates. He begged to be allowed to refer to one particular class of persons who would be greatly affected by the operation of the Bill—those who worked in flax mills. He had statements sent to him from persons of the highest respectability from all parts of the country; from the north, and from the west; from Scotland, from Somersetshire, and various other places, all describing the state of the flax mills. Let them suppose the case of a concern in which 6,000 persons were employed. Suppose 2,000 of those were employed within the walls of the factory, and 4,000 were employed without the walls of the factory—the work of the 4,000 without the walls was dependent on the amount done by the 2,000 within the walls of the factory. Now, if they took off the one-sixth, or the one-eighth, or the one-tenth part of the labour effected within the walls of the factory, they would in that proportion deprive those who worked outside the factory of their labour, and consequently numbers would be deprived of employment, and reduced to a state of destitution. The industry and energy of many people outside the factory, would therefore be crippled by this attempt to reduce the hours of labour within the walls of the factory. With respect to the foreign trade of this country, this project did appear to him to be the wildest that could have entered into the mind of man at such a time as the present; at a time when we were struggling with all the nations of Europe and of America in manufactures, and when, in spite of all our industry and manufacturing skill, we were only just able to keep our heads above water. Was such a time a wise one in which to knock off at one blow one-sixth of British manufacturing industry, and to say to the hard-working man, "You shall be brought to a level with the poor impotent man who cannot make the best of his time and labour—who cannot support his family by his industry and energy on account of his enfeebled constitution?" Such a course would not only lead to the destruction of such an individual, but also of much of the foreign trade of this country? Although he did not mean to quote from books or papers relative to the state of the foreign trade, but would leave such subjects to those who were more conversant with them, and who might follow him in this debate, yet he would say this, that he had been given to understand that at this moment the quantity of manufactured goods exported from this country for foreign consumption was much more than was required for home consumption; indeed, he believed that the entire consumption of manufactured goods in this country did not amount to so large a figure as the quantity of manufactures which would be stopped by the proposed reduction in the hours of labour. And if that were so, was it not wise for the House to consider the time in which so dangerous an interference with the manufacturing prosperity of the country was introduced? This Bill for crippling the energies and industry of the people of this country was introduced at a time of general European scarcity. It was introduced at a time when all workmen, all classes of the labouring community, found it as much as they could do to get bread to eat for themselves and their families. He was aware that the noble Lord the Member for Newark (Lord J. Manners) stated on a former occasion that it used to be said during the agitation for the repeal of the corn laws, that if the operatives would assist the manufacturers in their attempts to procure a repeal of those laws, they would pledge themselves to co-operate with the operatives in their agitation for a reduction in the hours of labour in factories. The corn laws, said the noble Lord, had now been repealed, and the manufacturers ought, in justice, to come forward in support of this Bill. But his noble Friend, if he went to a meeting of farmers to discuss the question of the corn laws, would be sure to tell them that the repeal of the corn laws was not the cause of the present high prices of provisions, but that other circumstances, a calamity over which legislation had no control, was the cause of those high prices; and then, if notwithstanding the repeal of the corn laws, the prices of provisions had become higher than they had been for the last twenty or twenty-five years, was this a time to say to the working man, "You shall not exert yourself to the utmost—you shall not use all the faculties with which God has blessed you, to enable you to get bread for yourself and your family; but because of our fanciful notions of philanthropy—because we think that it might probably be better for you that you should employ yourself two hours more in the day in going to school to learn this or that little book, and enjoy yourself in some amusements in some public park or other ground—we will deprive you of the opportunity, in this time of scarcity, of earning a sufficiency for yourself and your family?" He must say that he thought that the time for introducing such a measure as this was ill chosen. Notwithstanding the argument about the compact of manufacturers as to the repeal of the corn laws and the Ten Hours Bill, he contended that this Bill ought not to be sanctioned by the House now above all other times; because the prices of provisions were high, and at this time, therefore, it was necessary for the working man to put forth all his energies, and to be employed during all the hours that he could work, for the purpose of getting a sufficiency of bread for himself and family. And on that point he had the high authority of the noble Lord the First Lord of the Treasury concurring with his own views. He would read an extract from a speech delivered on this question some time ago by that noble

Lord; but he hoped that the noble Lord would not imagine that he had the least idea of taunting him with the expression of a certain opinion which he had formerly advocated, but which he had since seen reasons for changing. His intention in reading that extract was not at all to taunt the noble Lord, but merely to enforce on hon. Members the necessity which existed for the noble Lord clearly stating what were the reasons which had induced him to change his opinions on this question. Now, on the 1st of July, 1839, when Lord Ashley introduced a Bill of this kind into that House, the noble Lord the present First Lord of the Treasury thus spoke:—

> "It seemed to him that the noble Lord (Lord Ashley), had not answered the question put by the hon. Member for Wolverhampton; namely, whether, having reduced the hours of labour, he could provide that the same remuneration should be given for the shortened hours work. Did the noble Lord mean to extend his principle to the fixing of wages where the law did not? If he did, it was impossible; and if he did not, he might himself know that whatever shortened the hours of labour, and with the present high prices reduced the rate of wages, instead of being a proposition of humanity, would be one of the greatest inhumanities; and, therefore, as he thought the proposition would be cruel in its operation, he must vote against it."

But if that was the opinion of the noble Lord in 1839, surely he had a right to ask the noble Lord for some arguments, for some reasons, for his change of opinion in 1847; and surely it was fair in him to say, that the noble Lord did not on a former occasion bring forward any explanation which satisfied his mind that there was any good ground in 1847 for saying, that now the prices of provisions were so low—that corn was so abundant, that bacon was so cheap, that cheese was so much at the command of the labouring classes, that provisions in general were so plenty—they might safely interfere with the hours of labour, might safely prescribe to a willing and strong man the hours in which he should be permitted to work for his bread. That was what he meant, when he said that he should be glad to hear the noble Lord come forward with some new argument for his change of opinion in favour of this Bill. This, as they all knew, was a time of scarcity, and it seemed to him to be a very improper one in which to introduce such a measure. This was a period of European scarcity. With our superior wealth, derived from our superior commercial advantages, we had the power of putting ourselves forward in the market, and taking advantage under our present system of all the markets of Europe. But had we done so? Not at all. What then had we been doing? For the last six months we had been tying up our own hands, and when a general scramble had been going on for bread throughout all Europe, we had been shortening our hours of manufacturing labour, and preventing ourselves by our own regulations from taking advantage of our own national wealth and superiority. And now, at such a time, when by our own proceedings we had produced a deficiency in the supply of provisions from other countries, the hon. Member for Oldham (and he was sorry to see that the hon. Member was supported by some right hon. Gentlemen on the Treasury bench) brought forward this Bill, which would have the effect of crippling the labouring man in his exertions to procure bread, and to prevent him from taking advantage in the present general scramble for wealth throughout Europe. There was another argument which seemed to him to be of very great importance, and which ought to be noticed for the purpose of inducing the House to pause before they passed this Bill. Hon. Members had, in the course of their speeches in favour of this measure, constantly referred to former interference on the part of the Legislature, of a similar nature to that sought by this Bill. They had been told, that if they passed this Bill, they would not be adopting a new principle at all, and that the principle of interference between the employer and the employed, as regarded the hours of labour, had been adopted long ago. Well, that was true in one sense of the word, but fallacious in another. It was true that they had formerly interfered; but the question for the House now to consider was, whether it was expedient to proceed further in that course; and what was the argument of those who told them to proceed further? They said that there had been previous interference, and that that interference did not ruin the trade of the country. They said that the last interference "now worked well." That was the phrase, and because the last interference worked well, they told them to interfere still further. Why surely it would strike the mind of any reasonable and unbiassed man who studied this question, that if there had been a former interference which now worked well (and that was doubted by the wisest men in as well as out of the House), that was no reason why they should interfere again by adopting this Bill, which might be exceedingly dangerous to the interests of this country generally. If they looked at the consequences of the Act introduced by the late Sir Robert Peel in 1802, they would find that the additional influx of labour which it produced, caused great hardships and great sufferings amongst the parties whom it was intended to benefit. And if they looked again to the effects of the Factory Act passed on the 26th of August, 1833, they would find that it had forced the unfettered labour of women into factories to an unparalleled extent, and that it created a necessity for a further interference with respect to labour in mills. Then all he meant to say was this, that if they found, from a long series of legislation, that one interference with labour originated the necessity for another—if they found also that, under the present system, there was not so much to complain of as some hon. Gentlemen (for they admitted that the present system worked well) supposed—then this was not the time to interfere further with the hours of labour. It had been the custom of Lord Ashley, when a Member of that House, to read certain extracts from documents, detailing the horrible effects of factory labour upon women and children. It was his practice to read a long catalogue of the miseries in factories, to which, by the by, he (Mr. Escott) begged to inform the House he could furnish parallels in almost every other species of labour in the kingdom. But the noble Lord invariably read garbled evidence, and did not act honourably with regard to the evidence read to the House. He (Mr. Escott) did not, however, like to say much on that subject, as the noble Lord was not then present; but he could not help saying, that, if the noble Lord had wished to elicit truth, the noble Lord ought to have read the favourable as well as the unfavourable parts of the evidence. He had never heard the noble Lord make a statement in favour of this measure in which he did not garble the evidence; and he would prove his assertion. He had taken the pains to refer to that report of the Commission from which the noble Lord used to read whole pages to the House; and he would call the attention of the House to the statements of some of the workpeople, as expressed in that report. In the 13th page, they would find the evidence of a foreman who was examined on the subject of labour in factories. Such a party might be thought an exceptionable witness; but still the House should hear the facts as detailed in evidence. The foreman said—

> "We are now working half an hour over-time. We reckon, as nearly as we can, over-wages for over-hours. The hands never grumble about over-hours; they sometimes ask for them."

Now he never heard that portion of the report read by the advocates of the Ten Hours Bill. He would now read the evidence of a working man, who was described as "an operative." He said—

> "I like sixteen hours as well as twelve; it is very acceptable when the pay comes."

Another said—

> "We are working now as long hours as we ever did, barring half an hour. I don't know that the extra time ever did us any harm; but I am sure the money did us a very great deal of good."

Another said—

> "There is one bad thing here, and that is, we have no over-hours. I think the long hour system, when we get paid for the extra hours, a very good thing, and I hope you won't make us work shorter hours."

Another said—

> "The children employed in mills are very fond of factory work, because of the comfortableness of the mills."

A woman who was examined said, she thought the young hands ought to be pretty well satisfied with their situation.

> "I am the mother," said she, "of three children who are not employed; but I know of nothing that should prevent me sending them into a mill to work."

Another said—

> "I have been in the mill two years and a half; I like the mill pretty well; I would rather be there than working at any other place."

That was the evidence of working men and women. He would now call the attention of the House to the opinion of some clergymen who had the spiritual care of these persons. In page 51 of the report, the Commissioners put to the Rev. Mr. Pickup the question—

> "Is there any difference in point of comfort between the factory workmen and others?—It has never struck me that such is the case. Do the factory children complain that they cannot attend to their lessons in consequence of being over-fatigued?—I never heard of any such such complaints."

The Rev. Mr. Fielding said—

> "I do not see that the factory children are different in any material respect from other children. You might say with justice that they are not so strong and healthy-looking as children engaged in husbandry; but their appearance is not different from that of children living in towns employed in other trades."

Well, then, was not that consistent with their own experience? Did not hon. Members know that they did not look so well after they had been living about seven months in London—they did not look so healthy as when they first returned from the country, after spending about five months there in shooting and other amusements? Then the next question put to Mr. Fielding was—

> "What is your opinion as to the general effect of a Ten Hours Bill?—My opinion is, that it would reduce wages in proportion to the time reduced, and the working men will be less able to maintain their families than before."

In answer to another question, he said—

> "Factory labour has no tendency to injure the health or morals of the people; and I say that from twelve years' experience."

Now, he (Mr. Escott) did not say that such evidence as he read to the House was not interspersed with the extracts which the noble Lord (Ashley) used to read to them; but he would say this, that if the evidence in a report was worth anything, it was but fitting, when they were called upon to legislate upon that evidence, they should hear both sides of the question; and that those who spoke of the hardships to which the people employed in factories were subjected, should also in justice tell the House the comparative comfort which they enjoyed, and the opinions which portions of them had expressed in favour of the present system. He confessed himself astonished to hear the right hon. Gentleman the Secretary of State for the Home Department declare that this question was in point of fact settled, and that the working people, as well as the public generally, were determined to have such an interference with labour as that proposed by the hon. Member for Oldham. Since that speech was made, he apprehended that the right hon. Gentleman and the noble Lord must have had some little light thrown in upon their minds, by the paper which he (Mr. Escott) held in his hand. That paper was a memorial from those who employed the greatest amount of labour employed in factories throughout the great county of Lancaster. He had, in fact, been told by those who were intimately acquainted with that county, that more than three-fourths of the manufacturing capital in Lancashire was represented by the men who had signed that paper. It had only been laid before the Members of the House of Commons that morning, and he would, therefore, take the liberty of reading it to the House. The memorial was as follows:—

> "The Memorial of the Master Manufacturers and Millowners in the County of Lancaster,
>
> "Showeth—That the proposed interference with the hours of work in factories cannot be defended on any sound and recognized principle of legislation.
>
> "That it will limit the labour of multitudes of men who are entitled to the unrestricted use of all honest means of obtaining a livelihood; and it will place obstacles to the free employment of capital and machinery, which may endanger the continued extension of British manufacturing industry; and whilst English capital, machinery, and workmen are at liberty to go abroad in aid of foreign manufactures, the proposed Bill will reduce the time of work in this country, and consequently the productiveness of machinery and workmen, far below that which is found to exist in foreign countries. The undersigned, therefore, protest against further interference, as, in their opinion, fraught with evil to all classes concerned in the cotton trade; and they urge on the Government the necessity of abstaining from a course of legislation which can only end in mischief and disappointment, and which, if adopted, will have to be retraced; and they throw upon Ministers the sole and entire responsibility."

Now that brought him to the third point, upon which, as he had said, he would but briefly trespass upon the attention of the House. He would not throw upon the Ministers the whole responsibility of this measure, and on that point he differed with the memorialists; but he thought that it was fitting that they, as well as all those energetic and enterprising men who had deserved well of their country, by employing vast numbers of the people, by clothing, as well as by extending the trade and increasing the wealth and productive powers of this country to that unexampled pitch to which they had attained—it really was but fitting that they should know how this measure was to be carried through the House of Commons. It certainly would not be carried by the Ministers; but in one sense of the word the neutrality of the Ministers often contributed to the success of a measure. There never was an Administration that had so much power for good or for evil, from the fusion of political men, as the noble Lord had at this moment. From the state of parties in that House, the noble Lord's fiat on such a Bill as this would be sufficient, without the co-operation of the other Members of the Administration. It had gone forth to the world that two Members of the Administration cordially supported this measure; and who were those two Members? The noble Lord the First Lord of the Treasury and the right hon. Gentleman the Secretary of

State for the Home Department. That of itself was something like a Government support of the measure. But he stated on a former occasion that some other Members of the Administration, who, during the preceding Session had taken a prominent part in the debate, had refrained from doing so on the present occasion; and he did not apply that remark to the right hon. Gentleman alone who sat upon the Treasury bench. Let the country know that this measure had been carried because men of great ability, of high station, and of great influence on both sides of the House, did not think proper to show the same zeal which they manifested on a former occasion to stop this mischievous restriction of labour. He had been a little misunderstood on a former occasion when he alluded to the right hon. Baronet the Member for Tamworth. He never meant to presume to say that that right hon. Gentleman should, on account of his position, whether he was inclined or not, take a prominent part in a very great and important debate on a most important matter that might come before the House. He never meant anything of the kind; but at the same time he was bound to say that he had rated the debating powers of the right hon. Gentleman as high as this—that he knew that in any case which he earnestly supported or earnestly opposed, the effect was very great in that House, and had great influence on their votes. And when the right hon. Baronet said that this was a question on which there was little new to be said, he would take leave to say this, that there never was a question which he had ever examined or on which he had ever sifted the minds of men out of doors, on which there was so much difference of opinion among all classes. He knew no question at that moment on which so many intelligent, well-informed men would tell them, if they asked them for their opinion (as no doubt many hon. Members were in the habit of doing, for the purpose of knowing what steps they should take)—he knew of no question on which so many men would be found to confess that they knew nothing about the probable effects of this Bill. If it were true, as admitted by the hon. Member for Finsbury, that the working people whom it would affect, entertained the notion that, although it would shorten their hours of labour, it would not reduce their wages, he would ask, was this a time in which to permit them to be injured by such a delusion? But the right hon. Gentleman the Secretary of State for the Home Department had said, that although he knew the people were deluded as to the consequences of this Bill, yet as they had almost unanimously asked for it, the Legislature ought to accede to their wishes. [Mr. BROTHERTON: That's statesmanship!] The right hon. Baronet would, therefore, support this measure. He maintained that this debate ought not to close before they had been again enlightened by the opinions of the Chief Secretary for Ireland, and the Secretary of the Admiralty. He wished to say something in reference to what had fallen from the right hon. Gentleman the Secretary of State for the Home Department, as to the necessity of submitting to the demands of the people. In his opinion, the people had not demanded this measure. He believed that the number of working people in favour of the Bill was very circumscribed. He believed that those of the working classes who had petitioned for this Bill were not aware of their own real interests, and that they had been induced to join in the cry for this Bill by the persuasions of some idle demagogues. He believed that the honest and industrious portion of the labouring community felt that their prosperity depended upon the prosperity of those who employed them, and that they were dependent on them for their work. Was it, then, right that they should pass the Bill, because it had been said by its demagogue advocates that the people would rise up in rebellion if it were not granted? It had been said again and again, that if they passed this Bill, it would settle the question; but they might rest assured that if they passed a ten, an eight, or a six hours Bill, they could never settle this agitation as long as human nature remained what it was, and as long as the working people were subject to those privations and those temporary distresses which it was in the nature of things they must ever be subject to. It was entirely wrong and mischievous to be continually parading before the eyes of the country samples of the miseries of the working people, for the purpose of supporting this measure. Thanking the House most sincerely for the kind manner in which they had listened to him whilst he endeavoured, as far as his humble abilities had enabled him, to induce the House to reject this measure, which he believed would reduce the industry, capital, skill, and manufacturing prosperity of this country, he would sit down by moving that the House resolve itself into a Committee on this Bill that day six months.

Mr. BECKETT said, though he could not bring himself to believe that the House was likely to entertain the Amendment which had been proposed, and so soon reverse the decision which they had come to on a former occasion, still he hoped they would grant him their indulgence while in a few sentences he stated the reasons which induced him to wish for an alteration in the law as it now stood. As the representative of a large manufacturing community, which comprised many large establishments connected with the silk, cotton, and woollen manufacture, perhaps it would not be out of place should he endeavour to state briefly to the House the claims which those employed in those establishments had upon the attention of the House. He was bound to say that the existing law was universally deprecated by every class of his constituents, from the most influential manufacturers and merchants down to the humblest operatives. Public opinion had been unequivocally expressed on the question, and the belief was, that the present hours of labour were by no means necessary to the prosperity of manufactures. With regard to the operatives, he found it stated in the late debate by the hon. Member for Montrose (Mr. Hume), that he believed they were induced by false statements to take the view which they did on this question. It was also said by the hon. Member for Durham (Mr. Bright), that he believed the working men were deluded in regard to what they considered their welfare on the subject; and the right hon. Gentleman the Member for Halifax (the Chancellor of the Exchequer) stated that cases had occurred in which proposals were made to the workmen to have experiments made, but which were not accepted, and he argued that this gave them reason to believe that the people were not sincere in the statements which they made in their petitions. Now, from letters in his possession, and from other sources, he was convinced that the working classes were perfectly sincere in the opinions they had formed on this question. It was not a new question with them. It had been long debated in their clubs and societies; they discussed it over their pots of ale and pipes of tobacco; they were familiar with it in all its bearings; and they had come to the conclusion that an alteration would be for their benefit: they wished to see their families released, at any cost, from the unreasonable duration of labour to which they were now exposed. He had presented to that House a petition from the clergy, not only of the Establishment, but from the ministers of all religious persuasions, in which they pointed out the injurious effects which long hours of labour produced on the moral, social, and educational interests of the people. He had also presented a petition from medical gentlemen, stating that they believed this unreasonable duration of labour, day by day, in an atmosphere impregnated with unwholesome particles, and raised to a temperature inconsistent with health, tended to promote premature decay, and, in many cases, led to early deaths. But the proposal for shortening the hours of labour had the support of many of the master manufacturers themselves; and he had had the pleasure and satisfaction of presenting a petition from those of Leeds, praying the House to adopt an Eleven Hours Bill. He confessed that if they were met on the present occasion to chalk out a new law for the entire empire, he should be an advocate for not going beyond ten hours; but the House must recollect that they were not now chalking out a new measure—they were merely endeavouring to remove the evils of a system that had long existed—a system under which great establishments had risen—one under which large sums had been expended in the erection of mills and other great works—and under which the supply and demand of labour had been long regulated. It was a system, therefore, which should be touched with a most cautious, prudent, and tender hand. He considered, however, that a reduction of one hour would be a great boon to the workmen, and might be consented to by the master manufacturers without injury to them. In asking for an Eleven Hours Bill, they proposed to take off that hour of labour which pressed most heavily on the workman, and which was the least profitable to the manufacturer. One hour taken off would permit the family of the working men to enjoy around their own domestic hearths that relaxation from labour which they did not now possess. It would enable them to attend evening lectures, mechanics' institutions, and the schools for children, all which were open, but which they were prevented from attending by the present regulations. And he must say, in justice to the working classes, that he never saw people more anxious or more desirous than they were to obtain the means of intellectual improvement. The hon. Member had alluded to the flax mills, and said that the number of hours work in them could not be reduced without being attended with a reduction of the wages of those out of doors. But the largest manufacturer of flax at Leeds, had voluntarily reduced the time of work to eleven hours, without accompanying it with any reduction of wages; and this had been effected without any loss. He had evidence to that effect in his pocket, which he could produce if necessary, and in which it was stated the proceeding had been effected without any injurious effect to the proprietor. Another reason which made him contented with an Eleven Hours Bill was, that he was most unwilling to militate against that good feeling which now existed between the manufacturers and the workmen. He hoped, and had reason to believe, that the manufacturers would not disagree as to the adoption of an Eleven Hours Bill; but he feared that a Ten Hours Bill would be considered as driving the manufacturers too hard, and would tend to lessen those habits of kindness and consideration for the people which now existed. He knew that there were at present many advantages conferred on the workmen by manufacturers, such as providing schoolmasters and medical men, whose services they employed without making any charge to the workmen; but he did fear that if they went the length of a Ten Hours Bill, they would drive the manufacturers from discharging these good offices. He must say that they displayed the greatest generosity to their workmen; and he should be exceedingly unwilling to do anything which could produce a change of feeling in this respect. In conclusion, he expressed a hope that the House would see it to be its duty to cause a reduction of one hour in the time of labour.

MR. WARD said, that the subject had been discussed so fully and so frequently, and he had on so many occasions offered his opinions upon it to the House, that he should not have trespassed upon the attention of the House with another word upon the present occasion, if he had not felt that his silence might be misinterpreted, from the altered position in which the question now stood. Now, the hon. Gentleman who had just addressed the House said that he could not conceive that the House would seriously entertain the question as to whether they should reverse their former decision. Now, in saying that, he had touched upon a very delicate question; for let him ask the hon. Gentleman, what decision on this question the House had not reversed? What was the history of the question before the House? He would begin with the Motion of the noble Lord (the late Member for Dorsetshire) which was carried, not by a very large majority, but which was no sooner carried than it was reversed; he believed that it was carried by perfectly honest votes, but it had also been reversed by perfectly honest votes. Last year it was introduced under the same circumstances by the same noble Lord; but after a full discussion in a very full House, the Bill was rejected by a majority of ten. This occurred in that very same House of Commons that sanctioned the second reading of this Bill during the present Session by a majority of 108. They had, therefore, come to different decisions upon this question already, without any cause whatever having been offered for the changes which had taken place. The House of Commons did certainly appear to him to stand, in reference to this measure, in the most unfortunate position of either having legislated in the first instance without a proper knowledge of the facts; or of having dealt with a question vitally affecting the interests of the whole of the working population of the kingdom, for good or for evil, more with reference to its own political likings or dislikings of particular men, than with reference to the great principles upon which its decision ought to have rested. Now, the question opened to them to-day was simply this: were they, or were they not, to reconsider the decision which they arrived at the other day? The hon. Member proposed, as a *mezzo termine* that they should adopt an Eleven Hours Bill. He did not believe that an honest advocate, such as his hon. Friend the Member for Oldham, would accept an Eleven Hours Bill. [Mr. FIELDEN: No, no!] The hon. Member, with characteristic candour, admitted this. He believed that the noble Lord (Lord Ashley), in his late letter, refused to accept such a Bill. [Mr. FIELDEN: Certainly.] Nor was it at all likely that it would settle the question, especially as it was always described as a social boon to be given to the working people, and without which, of course, they would not now be satisfied. But they had now come to a point when it was absolutely necessary for them to consider whether they could safely legislate on the subject. The question was simply whether they could reduce the hours of labour of the working classes without seriously reducing the amount of remuneration which they received for their labour? That was the real question at issue before the House. If they could do it—if they could show him (Mr. Ward) the practicability of such a measure, he would go to the full extent of the Bill which the hon. Member for Oldham advocated; and he would vote for a ten hours in preference to an eleven hours Bill to-morrow, or even for an eight hours in preference to a Ten Hours Bill; and he believed that the advantages would be most obvious: that would be a necesssary deduction from the premises of the advocates of the Bill—if they could safely and legitimately limit the hours of labour without affecting the prosperity of the working classes, let them at once carry out the principle to the full extent. With reference to the advantages of domestic intercourse, of all the amenities of life, and the education and the comfort of the working people, which had been dwelt upon by the advocates of this Bill, he begged to say that he wished as heartily as any hon. Member of that House could wish to see the working classes in the enjoyment of those advantages; and he would say, "Give them an Eight Hours Bill—give them four hours for rational recreation, and four more for the purpose of enabling them to raise themselves in their own estimation and in the social scale." But it was because he doubted that they could give them such advantages, that he could not join in supporting this Bill. Having given the closest consideration to this subject, he had decidedly come to the conclusion that they could not safely give the working classes even an Eleven Hours Bill. He firmly believed that if the House adopted this measure, they would inflict a great blow upon the commercial prosperity of this country, and would consequently damage the interests of the working classes, whom they had intended to benefit. He had spoken in this spirit on a former occasion, and he had placed himself in opposition to a large portion of his own constituents by so doing; he had also placed himself in opposition to the leading Members of the Government, and nothing but the deepest conviction would have induced him again to intrude upon the attention of the House. He ventured last year, as the House might recollect, to point out the danger of giving any encouragement to the delusion under which the working community laboured occasionally with regard to its own interests; he ventured, in point of fact, to show the injurious effects of trades' unions. He pointed out the danger of all restrictions upon the hours of the working classes; he attempted to show them that it was impossible to diminish the hours of labour without at the same time diminishing the amount of remuneration. It was his firm belief that the hours of labour could not be reduced without a corresponding reduction in the amount of wages. And he believed that there was not a man amongst the working classes who would take a Ten Hours Bill with ten hours wages. He believed that in that opinion the hon. Member for Finsbury (Mr. Duncombe) agreed with him; and was it right for the House to adopt this measure unless they had full security that, when passed, the wages of the working man would not be reduced proportionably to the reduction of his hours of labour? In stating his views upon this subject last Session, he had committed an error. He had stated that in some parishes in Sheffield they had imposed restrictions as to the taking of apprentices into certain trades—that a father could not apprentice more than one of his sons to his own trade. He believed he was unconsciously led into that mis-statement. His constituents had since told him that such unnatural restrictions prevailed only in two very small and insignificant branches of trade. Having committed that error, he was bound to make that correction publicly. He was quite willing to admit that short time had been of some temporary advantage to the working classes. He was perfectly willing to admit that they had by arrangements in some manufactories managed to keep up the amount of wages, notwithstanding a considerable reduction in the hours of labour. He was bound to state the case with perfect fairness; but would not such a system, if it were extended to the cotton manufacture, affect the source of wages eventually? would it not destroy our foreign markets by rendering our manufacturers incapable of competing with those of other countries? It was of little consequence whether the article to be affected was cutlery or cotton, for just in proportion to the extent of the interference with this competition, would be the loss occasioned to the workmen. In every case of trade where the produce of that trade was exported to neutral markets, where they had to meet the German and other foreign manufacturers, they should be cautious in legislating. The town of Sheffield exported 73 per cent of all its products to neutral markets; and although they had heard so much of protection—of protection at home, of protection in the colonies—he hoped that all that had been given up, and that, having adopted the principles of free trade in one respect, they would feel bound to carry them out in all. In the case of the cotton trade, the danger of meeting foreign competition was very great. Two and a half or from two to three per cent of increased price, would suffice to turn the scale against them, so closely were the profits at present calculated. The consequence would be, that a certain number of men would be thrown out of employment. The House by its act would deprive them of their daily bread; for he knew of no source, except high prices, out of which high wages could come. Such had been his sentiments upon previous occasions when the question had been discussed; and instead of having subsequently learned to doubt those opinions, he had had them lately tested and confirmed. The very strongest advocates of the measure amongst the working classes themselves, did not venture to designate it other than "a great experiment." But he feared to try it. He admitted that the motives for the support of the measure were of a very flattering nature. All the best and most philanthropic sentiments of the human mind must be in favour of it. They could not but approve the idea of improving the condition of the working classes; of imposing upon them less labour and less work; and giving them more time for mental improvement and social enjoyment. But the question for the House to consider was, whether those hopes could be realised or not. He had heard it said in the course of the debate, that nothing could exceed the ingratitude of the free traders to the working classes in thus turning round upon them, and refusing them their aid; whilst none of the promises held out by those free traders as to the reduction in the prices of food had been borne out by the result. Some of those advantages that were held out to the working people, had been realised. But free trade was not a name merely. It was a fact. It was a fact which required time for development. The foreign corn which was to be admitted freely for the consumption of the working classes of this country, had not as yet been sown. He repeated, the labouring people had not as yet had time to receive the benefits of the free-trade measures of the last Session. If, indeed, the Act of the last Session had been foreseen or had been passed in a former year, and if the corn fields of America and of the Continent of Europe had been sown, then would the effects of the measure, by equalising the prices all over the world, be already felt by the working men of England, as then, for the first time, would they be put in possession of those advantages which would necessarily result. But it was a work of time. There never was anything more visionary than to suppose that the mere passing of an Act of Parliament could all at once turn scarcity into plenty; and his hon. Friend the Member for Stockport never held out the prospect of such advantages as must finally accrue from the measure being immediately derived from it by the working man. But he merely wished, upon the present occasion, to give testimony in the House that his opinions upon the subject of the Bill before them remained unaltered, and that he still believed its effects would be found injurious to the interests of the working classes. He agreed with the hon. Member for Winchester, that the present was the most unfortunate time that could have been chosen for such an experiment. The hon. Member for Oldham knew the difficulties which manufacturers were contending with; that the prices of provisions and of the raw materials were rising. [MR. HINDLEY: Not cotton.] And we were adding to the difficulties of the manufacturers and their workmen, by this kind of legislation. At a time of scarcity, the House was about to debar the working men from making up in a season of abundance for any present deficiency by working longer time. With diminished food and a diminished supply of cotton, and with a great famine in Ireland, which was spreading over a great part of the world, and with competitors from every quarter, this was a most unhappy time for limiting labour in our factories to ten hours a day. There was a reaction in these matters, which worked in a circle: if we paid more for food we could give less for clothes; and if the demand of the markets were diminishing every day, there would be less employment for the labourer; and the House was most unwisely going to contribute to these difficulties by a measure which, in his opinion, would have the most injurious consequence. When the profits of manufacturers were admitted to be so small, was this a moment for a measure of this kind? The House might feel a repugnancy to the vote of the other day being rescinded; and if the experiment was to be tried, no man would more rejoice than he should at its success, and at its proving that his expectations of the result of the measure had turned out to be erroneous. But entertaining, as he did, the deepest conviction that the measure would prove injurious both to masters and men, he should not be doing his duty if he did not support the Amendment of the hon. Member for Winchester.

Mr. BROTHERTON said, that he could hardly expect to say anything new upon this subject; but he was unwilling to give a silent vote. It was most painful to his feelings to differ in opinion with many of his most intimate friends, for whom he entertained the highest respect; but his firm conviction was, that legislation on this subject was absolutely necessary. The question was simply this—whether females from 13 to 18 years of age and upwards, ought to be compelled to work in a heated atmosphere for twelve hours a day, incessantly, without the possibility of procuring any relaxation. Every hon. Member who had spoken, was desirous that the hours of labour should be reduced; but it was said by some hon. Member, "Let them be reduced by an arrangement between the master and the men, and not by law." It was said that legislative interference could not be defended; that it was opposed to all right principles; that every man had a right to use his labour in the best possible manner for the attainment of his living. He was ready to admit that it was not desirable to interfere with those general principles where interference could be avoided; but if the House should leave everything to the operation of general principles of political economy, its occupation would soon be very much curtailed. Parliament had interfered between landlord and tenant—it had regulated the fares of hackney coaches, and the fares on railways—it had interfered between masters and apprentices, between merchants and shipowners—it was about to interfere with the rights of property in Ireland; and last night another interference of the same kind had been urged with respect to sites for the Free Church of Scotland. There were three classes of opponents to this Bill: those against any legislative interference whatever—those who would limit it to children—and those who were opposed to any further reduction of the present hours of labour for young persons between 13 and 18 years of age. But although the hon. Gentlemen who had spoken entertained different opinions, he found, from beginning to end, that most of their arguments were directed against all legislation upon the subject. Now, he wished to know if there was any value in their arguments, why a Factory Bill had received the sanction of the Legislature? A very strong case was made out to show that factory labour was an exception to the general rule. In the year 1815, the mills in Manchester were working 78 or 79 hours a week, children of six years of age being sometimes employed 19 hours. Were not they left to the operation of the principles of political economy? If all men were men of humanity and justice, there would be no need of legislation; and if the people employed in manufactures were merely created to eat and drink, and work and die, the question might be argued on commercial principles, and on the abstract principles of political economy. But he (Mr. Brotherton) believed they were created for nobler objects; and it was important for statesmen to consider their physical and moral and social condition. One hon. Member said, that the hours of labour should be left to the arrangement of the masters and workmen. That proposition had been considered; but had they come to any arrangement, or were they likely to do so? Nothing of the kind. Legislation had become necessary in consequence of the great proportion of females employed in manufactories compared with the number of male adults; and it was called for on the principles of humanity and justice, and from the necessity of the case, because the weak and the strong were obliged to work the same time. Many persons were able to work long hours; but others, who were not so strong, were compelled to work longer than was consistent with their health, simply because if they did not continue to do so, they would be thrown out of employment. When he was a boy, he experienced this wearisome toil himself; and he had witnessed delicate females compelled to stand at their work for many a long hour when they were ill able to do so; he recollected the feelings and sentiments he had at that time, and he resolved that, if ever he had the good fortune to be in a position in which he could be instrumental in shortening factory labour, he would endeavour to accomplish that end; and he was proud to say, that under other circumstances the feelings of his boyhood were still retained in his mature age. He knew that many most unjust charges had been made against the masters; and although he advocated the principle which he considered good for all classes, he never had identified himself with those who were in the habit of libelling men who were as humane and kind as any hon. Member of that House; but he was quite opposed to the system. Capital was so combined with labour, that the temptation to work long hours was too great for many to resist; and even the hon. Member for Oldham, if he would act according to his humane feelings, rich as he was, would soon find himself in the *Gazette*, because if one mill worked two or three hours longer than another, it would be impossible for the latter to carry on a successful competition. He admitted that a material reduction of the hours of labour would, to a certain extent, increase the cost of production; but they ought to be governed by higher principles; and he contended that a reduction of the hours of labour would benefit not only the workmen but the masters themselves. He could not help noticing the contradictory arguments used by the opponents of the Bill. A desire evidently existed to alarm the working classes by saying that a reduction of wages must necessarily follow a reduction of time. Now, the greater part of the men employed worked by piece, and they were not so ignorant as not to be aware that if a smaller quantity of goods was turned out, wages must be lower. One hon. Member had said that this was a Bill to raise wages at the expense of capital. But the fact was, that the wages of the men employed in the cotton manufacture had never altered 1 per cent during the last fifteen years; whilst the price of yarn and manufactured goods had fluctuated more than 40 per cent within the last three years. He apprehended no disastrous result from the reduction of the number of hours, because the machinery which had been constructed during the last few years would be more than an equivalent for such reduction. The reduction in the price of goods did not depend on the reduction of wages, but on the great improvements which had taken place in machinery, the increased labour of adults, and other circumstances. It was said that the working classes were not in favour of the measure. Now, there were not more than 500,000 persons employed in all these branches of factory trade, and out of that number 260,000 were engaged in the cotton manufacture. But last year petitions were presented in favour of the measure now under consideration, signed by 230,000 persons; and similar petitions had been presented, during the present Session, containing 170,000 signatures. A great deal had been said respecting the memorial against the measure from 200 masters, representing a large capital; but the noble Lord at the head of Her Majesty's Government had that day presented a petition from not less than 470 masters, representing many thousands of hands, in favour of the measure. In the year 1832 he (Mr. Brotherton) procured the signatures of forty-nine of the largest and most respectable millowners in Manchester, in favour of a Bill for limiting the hours of labour to 11½. His object in mentioning this fact was to show the growing feeling in favour of the principle of a reduction in the number of hours of labour; and, as many arguments had been urged against the principle of the Bill, he would just remind the House that the petitioners on that occasion expressed their opinion "that such a regulation is necessary, and would be generally beneficial." This statement showed that the manufacturers, at that time, after having had twelve years' experience of the Factory Act, acknowledged the necessity for legislation, the principle for which he (Mr. Brotherton) was contending. This Bill was a question of degree, and not of principle. When the late Sir R. Peel brought forward a Bill in 1815, the mills were working seventy-nine hours a week, and many of them ninety hours; and it was proposed at once to reduce the hours to ten and a half. The very same arguments that were now used were urged against that measure by the masters. But they had been false prophets as to the result in every case. They said, "If you prevent children from working in mills more than twelve or fourteen hours a day, you will completely ruin us." The time had been reduced from seventy-nine hours to sixty-nine hours for adults—working young persons in the night had been prohibited—and young children were not allowed at present to work more than six hours a day. But, notwithstanding the reduction, an increase had taken place in the quantity of manufactured goods; and last year 25,000,000 pounds more of cotton yarn were exported than in the previous year. This was a clear proof our manufactures had gone on increasing. And there was one fact especially worthy of attention, that when the late Sir R. Peel brought forward his Bills in the years 1815 and 1816, although the value of the exports was about the same as at present, yet four times the quantity were now exported. The cotton tax was a heavy tax; and, in April, 1843, the late Mr. Thomas Ashton stated to the then Premier, that he paid for that tax not less than 4,500*l.* a year. What had become of it now? In the year 1844 the tax raised from cotton was 750,000*l.*; and taking the number of persons employed in cotton mills at 260,000, he found it equal to about 13*d.* per week, or one-tenth of the wages, the average in cotton mills for the last ten years being 10*s.* per week. If they reduced the time to eleven hours, they would receive a full equivalent from the remission of the cotton tax. He had fully considered the question, and in a commercial point of view did not think there was anything to fear. But it was well to concede to the prejudices of men when they could not be entirely convinced, by reason and argument, in order that they might be afterwards convinced by experience. All experience had hitherto been in favour of legislation with regard to cotton factories. All those who professed themselves favourable to legislation for children, had still opposed the Bill upon principle; but if these principles had been adopted, there would have been no legislation even for children. With regard to the cotton trade, he would take the liberty of reading the words of an eloquent and learned man, which would have great weight with the House with reregard to this system. He must say, however, that he did not agree with his statements because his facts were not correct:—

> "It has been ascertained that children as young as three years of age labour for their own bread and the bread of their parents. I ask what does the State do on these occasions?"

Alluding to the reduction of the hours of labour with respect to the children employed:—

> "What does the State do on these occasions? It says to the master you shall not employ a child in a factory, working it as some are doing now, from five in the morning till seven at night, till it is eight years of age. This is the reason these two things are inserted in this Bill.
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> "I ask you as persons having children of the age stated under your care, whether you think it would not be extremely advantageous to the interests of humanity that there should be some regulation, first of the hours of labour, cutting them down to six hours instead of twelve or fourteen? We must do something to get rid of the shame.
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> "You see poor children labouring fifteen or seventeen hours, and then coming up with the sweat dropping from them, and lying down, having been overworked to gratify the vile cupidity of their masters. Should you not stand between these poor innocents and the dreadful crimes committed against them? Should you not say to the masters, there is a God above, and you shall not work children after this fashion? Do you not now understand what is the meaning of the Factory Bill?"

Now, would the House believe that this was the language used by the hon. and learned Member for Bath, in a speech delivered by him in that town on the 21st of April, 1843? He repeated, he did not believe the statement, but had read it to show the inconsistency of the man on this subject. He had always considered legislation necessary, and had supported every Bill which had been introduced; but the House had been so led away by the principles of political economy that it could not be convinced of their necessity. He was quite satisfied that the adoption of the present measure would advance the interest of all parties. He considered it a great mockery and a complete delusion to say to the working classes, "We wish to promote your physical and mental improvement—we will give you public parks and public institutions"—and yet, after keeping them immured twelve hours a day in factories, to expect them to cultivate their minds and become good subjects. He had seen females, some in an advanced state of pregnancy, and others in a condition which would melt the heart of a stone, compelled to perform this labour; and it was impossible, under the present system, that it should be otherwise. [Mr. BRIGHT: Not compelled to work.] They had no other choice; factory labour was not free labour. He implored the House not to negative the Bill. He was confident that its results would be beneficial. Although it might be said that it would not settle the question, and that agitators would still find employment, he believed that if once the working classes could experience its benefit, they would not give their countenance to any such agitation, nor allow themselves to be agitated.

SIR J. GRAHAM: Sir, I confess that I feel obliged for being allowed to follow the hon. Member who has just sat down. I have listened, as I am sure the House has done, with infinite pleasure to the speech of the hon. Gentleman, who has mentioned one particular circumstance, which I confess, until I heard it from himself, I was not aware of—that at any period of his life, with his own hands, he had ministered to his own wants. I consider it a great honour that I now sit in this House on terms of perfect equality with the hon. Gentleman, who, by the speech he has just made, has proved that, even from the humblest classes of society in this country, a person can rise, by the influence of honest industry and unblemished character, to the highest station, the representative in Parliament of a free community. I must say the hon. Gentleman has given full effect to the feelings of his youth which he has described to us, and it is very honourable to him that he has done so; but, Sir, permit me to observe, that the success in life to which he owes his seat in this House, is owing to long hours of labour, and shows that by the careful employment of time most useful and honourable acquirements are compatible with long hours; and I cannot, therefore, see, when you fail by argument to convince the nation, why you should give way to the prejudices of the public. The hon. Gentleman has not, as appears to me, correctly stated the question at issue. He says, "Shall you compel women and children to work for twelve hours a day, or not?" Now, that does not appear to me to be the question; but the question is, shall you by indirect legislation restrain industrious men from working twelve hours a day for the purpose of earning their livelihood, though they are willing to undergo the fatigue? It is not with any feelings of pedantry that I make the observation, but I must, in passing, state, that should the House adopt the measure now before them, it will be a departure—a flagrant departure—from the strict rules of political economy—a science which in some quarters of this House appears to be treated almost with contempt, but it is a science which I have always considered as tending towards the benefit and general happiness of the nation; and I doubt if any legislation will be found safe if you depart from the great rules of that important science. Yet if I could satisfy my mind that this measure was conducive to the interests of the working classes, it is not a pedantic or rigid adherence to the rules of political science which would induce me to treat this question with that firm resistance which I am prepared to offer to the Bill now before the House. The hon. Gentleman has relied much on an observation which, I am bound to say, he thought conclusive in favour of this measure, but which, I grieve to add, did not carry conviction to my mind; he said, "Shall it be allowed that, to eat, to drink, to work, and to die, shall be the lot of a large portion of our fellow-countrymen?" But, alas! I grieve to say, the truth is, that not in this country only, but throughout the whole of this world of sorrow and of care, the lot of eating, drinking, working, and dying, must ever be the sum of human life among the masses of a large portion of the human family. It is grievous to admit this sad reality; but the question is, it being necessary that mankind must work for their subsistence, or in order to obtain their subsistence, should you help them to pass their lives as contentedly as possible by giving full scope to their energies? or should you, by legislation, so interfere as to add to the wants and sufferings of their existence, and thereby embitter their lot? Now, I am prepared to say, having given my best attention to the political portion of this question, that I am warned by the forebodings of the right hon. the Chancellor of the Exchequer, who has warned us with respect to the decrease of our foreign trade, and the dimished demand for full work in the manufacturing districts; and I have little to urge in addition to what the Secretary of the Admiralty has already stated as to the interests of the great community of Sheffield. The hon. Gentleman the Member for Salford has made some reference to the amount of exports and foreign trade; and I think he said that the exports of the cotton trade were not materially diminished; but I hold in my hand a paper which was circulated this morning, being accounts relating to the trade and navigation of this country, and which contains a statement with reference to the exports of 1846, as compared with those of 1845, to which I wish to call the particular attention of the House. Now, it must be observed, that the Bill at present under discussion deals with four articles of staple manufacture, viz., cotton manufactures, woollen and yarn, linen or flax, and silk manufactures; and the whole declared value of the exports in the year 1846 amounted to 51,279,735*l.*, out of which the declared value of the exports of cotton, linen, woollen, and silk manufactures was 37,385,000*l.*, being about four-fifths of the whole of these exports. With respect to cotton, the declared value of the export of cotton manufactures was 17,726,966*l.* in 1846, compared with 19,156,096*l.* in 1845, showing a falling-off in the year just passed in the declared value of 1,000,000*l.* and upwards. Then, Sir, the declared value of linen manufactures exported in 1846 was 2,838,384*l.*, but in 1845 it was 3,036,370*l.* Again, with respect to woollen and woollen yarn manufactures, there appears to be a large defalcation in 1846 as compared with 1845—of woollen yarn the declared value of exports, in 1845, was 1,066,925*l.*; and, in 1846, it was only 907,893*l.*; then, with respect to woollen manufactures, the declared value of exports, in 1845, was 7,693,117*l.*; whereas, in 1846, it was only 6,334,298*l.* Then again on silk, there was but a very small increase, the increase being from 766,405*l.* in 1845, to 837,577*l.* in 1846. Now, upon the whole of these large exports, consisting of the staple manufacture of the country, it will be found that in 1846, as compared with 1845, there is a falling-off on the declared value of somewhat about 15 per cent. I have said that the argument of the right hon. the Chancellor of the Exchequer, with reference to the political and financial danger you would by carrying this measure bring on the commerce and trade of this country, appeared to me quite conclusive; and I cannot help alluding, on the present occasion, to some observations and opinions which fell from the right hon. the Secretary of State for the Home Department, who, though adverse to his Colleague, the Chancellor of the Exchequer, has yet made some admissions which appeared very large and conclusive against the course which the right hon. Gentleman is ready to adopt. The first admission, and the most important, was, that he would not be a party to any delusion; and he acknowledged that this alteration would necessarily lead to a reduction of wages. In the present circumstances of this country, when prices are rising, and wages necessarily to a certain extent are declining from cessation of employment, still the right hon. Gentleman does contemplate a further reduction of wages, which, the reduction of the hours of running the machinery must necessarily occasion, and which I consider will inevitably be permanent. The right hon. Gentleman makes another most important admission. He next admits that hitherto, in all our legislation on this subject, we have been able, speaking generally, to carry with us the concurrence of the masters; but that is not the case now, for a memorial has recently been presented to the First Lord of the Treasury in opposition to the measure, signed by a large majority of the master manufacturers, saying that any further interference with the hours of labour in factories cannot but be fraught with danger and calamity. There was another admission made by the right hon. Gentleman, which also appears to me important, as bearing on another branch of this subject: it was this, if the health of those employed were seriously injured by the hours of labour, it would be an important consideration; but I find that the right hon. the Secretary of State for the Home Department—with all the information that he can best command, assisted by the factory inspectors under his immediate control—has come to the conclusion, that according to statistical returns as to children and females, their health is not impaired by the present hours of labour. And these are the admissions made by the right hon. Gentleman who is about to give his support to this Bill. But there was another admission equally important: the right hon. Gentleman agrees with his Colleagues and the noble Lord at the head of Her Majesty's Government, that the concession of ten hours would be fraught with danger, and he also has taken his stand upon eleven hours. I hope the hon. Member for Oldham will give us clearly to understand what he believes to be the feelings of the working classes as to the limit of eleven hours; I trust he will explicitly declare, if such concession will be by any means satisfactory to them, or whether they will not be continually agitating and contending until they obtain the wished-for limit of ten hours. The whole proposition which the right hon. Gentleman contends for, is, after all, but an arrangement, which, so far as the working classes are concerned, will not be a final and conclusive settlement; for year after year we shall have regularly to discuss this matter, since if this measure be carried, we shall have departed from that which for half a century has been established as the principle of legislation on this subject; and still we shall fail to give contentment to the working classes. The hon. Gentleman who has just sat down, has repeated arguments often urged upon the House—and what arguments on either side of this question have not been often repeated?—with respect to the false predictions that have been made on this subject. Now, Sir, I might admit decidedly that all the predictions hitherto made have been falsified; but this fact does not lessen the apprehension I entertain of the danger to be anticipated from any further concessions. It must be remembered that some time ago one prediction was, that by throwing impediments in the way of the labour of females and children, you would prevent machinery from running the full permitted time of twelve hours. That would be the effect, it was stated, of the legislation which you were then entering upon. Now, that effect has been prevented; for by having relays of children, when necessary, matters have been so managed that the operation of the law has not hitherto been to shorten the time of the running of the machinery. But, Sir, if the step we are now called upon to take be once made, it will not be possible for the machinery to run beyond ten hours, since the prohibition of this measure is that no women or children shall work so many hours as will allow of the machinery running longer than ten hours. Sir, I believe that since the present century commenced, and since the late Sir R. Peel legislated on this subject, the running of machinery in factories has been practically, though not by law, limited to twelve hours. Now, therefore, for the first time in the history of our manufactures, and after that rule has been practically in operation half a century, we are called on by legislation to prohibit the running of machinery in our factories for the accustomed period. That brings me to the consideration of what will be the effect of this change in the time of the running of machinery from twelve hours to ten hours on our commerce and trade. I have already pointed out to the House that the four manufactures to which this Bill applies, supply the principal articles of our export trade, and that cotton goods alone comprise nearly one-half of the declared value of the exports of this country. What, then, do you think you are about to do by this simultaneous interference with the labour employed in these four principal branches of our foreign commerce? What will be its effect on the interests of the master? He must either submit to a diminution of his profits, or he must raise his prices, or lower wages, or cease to manufacture. But can he either reduce his profits or raise his prices, looking to the present state of affairs? No. Foreign competition forbids it. I believe it is impossible, going through the markets of the world, to come to the conclusion, either that the profits of the British manufacturer can be reduced, or his prices materially raised. The master, finding these two resources impossible, must therefore lower wages; and what has the hon. Member for Salford, who so well understands this subject, just told the House? Why, he says, and says most truly, that, speaking generally, the payment to the operatives in factories is made by the piece. If, then, you shorten the hours during which the machinery runs, you must reduce the quantity which the machinery produces, and consequently, the quantity of wages which the operative can earn in the same time. Being paid by the piece, the operative will find his wages materially reduced by the diminished quantity manufactured. But it is not only by means of the diminution in the quantity produced that the operative will suffer; but the price paid for his labour in relation to quantity must also be reduced, in order to compensate for the loss of interest on his capital sustained by the master manufacturer, from the diminution of the wrought fabric, which makes the return for the fixed capital invested in the machinery. If, then, the manufacturer finds that he produces a reduced quantity, and that our legislation has abridged his power of producing, what must be the consequence? He must do something to retrieve himself, and fresh capital will have to be applied to supplying newly-invented machinery, in order to produce a greater quantity in a given time; which fresh capital, if it had not been for your legislation, would not have been required, and thus there accrues a loss of so much to the national capital; or new manufactories with improved machinery must be built to meet the same demand for goods with shorter hours of labour; and a prodigal waste of capital needlessly expended will be the necessary consequence of this unwise legislation. I should be sorry to go into details on this subject, which might be tedious to the House; but I trust I may be allowed to state what are the considerations which have appeared conclusive to my own judgment when reflecting on the matter. There is in this country a vast amount of machinery employed, some of it of considerable age, and the rest having all the excellence arising out of new adaptations and inventions. But the old machinery cannot of course produce so good an article, nor running even twelve hours would it produce a greater quantity than the new machinery under this measure, running ten hours. The effect, therefore, of this measure would be to destroy the old machinery, on which at present the profit to the master is only obtained by running the longer number of hours. There is another consideration which I think of considerable weight. The House is probably aware that in practice the factories are frequently taken upon lease, with their machinery in them, for a term of years, at a fixed annual payment by way of rent. All these leases have been executed on the supposition that the machinery is to remain in the mill, and is to run for a fixed time in each day; but if you abrogate the existing law, and pass this new measure, all these leases become, in equity, invalid, as I understand, and the greatest confusion is likely to arise. But turn from the masters to the labourers—and this, in my opinion, is the most important part of the question—and let us ask ourselves what will be their condition under this Bill, when, by the admission of the right hon. Gentleman the Home Secretary, there is sure to be a reduction in their wages as the consequence of passing this Bill? At this moment, when the country is suffering from a severe dispensation of Providence—when the price of food is very high, and still rising—when, also, from natural causes, the price of the raw material of our great manufacture—the cotton manufacture—is enhanced in value by a short supply—the reduction of wages must be attended with serious consequences. The right hon. Gentleman the Chancellor of the Exchequer told you, the other night, that a great many mills in Manchester had already stopped, and that 2,200 hands are out of work. In this case, the high price of food, so far from having carried with it a rise in wages, has had its usual effect in the manufacturing districts, and has been attended with a fall in wages. It is undoubtedly true that, in the present state of society and in the circumstances of this country, oscillations in trade must take place from time to time; and it is also indisputable, that from the circumstances which are always occurring to render such results inevitable, there will be times when short hours will be worked, and times when even a cessation of employment will be the lot of factory hands. Such being the case, Sir, is it fair, is it just, so to legislate, that a working man, disposed to labour, in prosperous times, when business is brisk, all the hours that he is allowed to work, or that his strength will permit, for the express purpose of saving his over-earnings, to meet the oscillations of trade which must come, and which, when they do come, will suspend his labours, shall be prevented from thus pushing his industry to the utmost, and labouring long hours if he pleases? I contend that it is more expedient to allow the operative to do that which we now allow him to do. Sir, I have on so many former occasions, at too much length, I fear, stated to the House what I think on this subject, that it would be unpardonable in me if I detained the House much longer; but I am bound to say that, amidst all the fluctuating majorities that have voted on this Bill, I have always been compelled to offer to it a steady resistance, and have always held and stated those opinions which a deep sense of duty has led me to adopt. On the present occasion it is impossible for me to overlook the effect of the great change in commercial policy which, with the consent of this House, has lately been established in this country. All prohibitory duties have been removed from our Tariff; the corn laws have been repealed, the navigation laws are temporarily suspended. ["Hear!"] I am stating facts. It would be needless for me to reargue that policy; but this I will say, that I have not the slightest doubt of its wisdom, or of the necessity of steadily adhering to it; nay, more, I have not the slightest doubt that the House will be found ready at all times to maintain it, let the attack come from whence it may. But I say that prohibitory duties have been abolished, and protective duties been so much lowered that foreign manufactures have been introduced into the home market, and enter now into competition with the produce of our native industry. Coal also and machinery are exported in large quantities duty free. I say we have thought it right to enter into free competition in every respect with our rivals in trade. We have established the most perfect freedom of commerce; and my right hon. Friend, the late Prime Minister, surveying the empire of commercial policy which he has so much enlarged, may proudly and truly exclaim—

> "His ego nec metas rerum, nec tempora pono;
> Imperium sine fine dedi."

That freedom of commerce is felt to the most remote corners of the civilized globe; and I think it would be most inconsistent if we, who have achieved so much, should undo what we have done, and impose fetters hardly less galling than those which we have struck off. Sir, there was one expression which fell from the noble Lord the Member for Newark (Lord J. Manners) on a former occasion, which I must say I was grieved to hear. The noble Lord used a metaphor, and said, "By this Bill we shall put a curb on the manufacturing interest; we shall make it feel its rider, and it will not be the less useful or less of a benefit to the country." Sir, I ask, is this the spirit in which the Commons of England are to legislate on this great question? Curb it! Make the manufacturing interest feel its rider! Sir, I am sure the noble Lord at the head of the Government has no such feelings with respect to the great commercial and manufacturing interests of this country; but, whatever may be his feelings or opinions, I think that if this measure be adopted exactly in the spirit of the noble Lord the Member for Newark, it will be a curb: the manufacturing interest will feel its rider; it will chafe under the restraint, and both the horse and the rider may fall together; but if it submit, then I say the measure will operate as a tax upon capital, as a limit to the earnings of industry, as a tax upon wages. If it be confined to those four trades which I have mentioned, its operation will be partial and unjust; if it is extended to all trades, the burden will be intolerable. Yet I know not upon what general principles, or why it is that these four trades should alone be brought under the operation of the measure, unless it is that they lie most ready to your hand. I know not, I say, on what principle you can shrink from extending it to all other manufactures; but if you do, I am sure it will be found subversive of all the principles on which our commerce rests; and I am confident that the House could not do anything more injurious to the interests of the country. You may adopt the measure, if you please; the circumstances of the time give some facilities for your doing so; but I predict that if you do, the manufacturing operatives themselves will be the first to call for its abrogation. Before, however, they do so, much capital may have been withdrawn from manufactures; much of our native industry and genius will be driven to foreign countries, where no such absurd restrictions are imposed; a vital stab may have been given to manufacturing interests, and irreparable injury will have been done; and though it is painful to me to oppose a measure which carries with it the favour of the great body of my fellow-countrymen who are embarked in manufacturing operative labour, yet I never gave a vote with more confidence in the purity of my motives, and in the strength of the reasons which guided my decision, than I shall on the present occasion in resisting the future progress of this Bill.

SIR G. GREY: Sir, having already occupied the attention of the House on the second reading of this Bill, in stating what were my reasons for voting as I intended to do, for the second reading, I shall only trespass on the indulgence of the House for a few moments, for the sake of noticing the four admissions which the right hon. Gentleman says that I made in my former speech, and which he thinks furnish strong arguments against the course I then said I should take. The first admission the right hon. Gentleman says that I made is, that the necessary result of the measure would be the diminution of the wages of the operatives. Sir, I never made an admission so large as that. I have always stated to the House, and always stated to deputations of the working classes who have communicated with me on the subject, that the tendency of this measure must be to reduce the amount of wages to be earned in a given time by those engaged in factory labour; and I have always felt, and still feel, that, looking to the extent of machinery that is employed in our factories, no increased exertions on the part of the operatives can enable them to do the same amount of work in ten hours that they now do in twelve; and, taking the amount of work done in a given time, on a particular day, week, month, or year, I think the production must be less, and the earnings less, if the daily hours of work are ten than if they were twelve; but I never denied that other causes might interfere and operate upon wages in a way that we cannot foresee. Sir, I am not blind to the fact that since the Legislature first imposed restrictions on the working hours in mills, there has not been a corresponding diminution of wages. I believe the tendency of the measure will be to reduce the wages of the operatives, though other causes may operate to correct that tendency. I cannot therefore positively assert that wages will be diminished, or concur with my hon. Friend the Member for Sheffield (Mr. Ward), in predicting that the necessary effect of the measure will be to deprive the working classes in the manufacturing districts of their daily bread. The second admission which the right hon. Gentleman said that I made was, that our legislation hitherto had been accompanied by the full concurrence of the masters, and that I despaired of that on this occasion. Now, Sir, I did say that the success of our former legislation had in great measure arisen from the willing co-operation of the great majority of the masters; but I did not say that those measures were carried with the concurrence of the masters; but, on the contrary, I stated, that they held now the same language which they held then; and, as they had predicted ruin from the measure of the right hon. Gentleman himself, so they predicted it from this, but that, greatly to their honour, since that measure had passed, they had co-operated in carrying out the law when it was enacted. Sir, they predict precisely the same results now; but I do look nevertheless, for their concurrence in carrying out the law, if it passes; and I am not of opinion that they would oppose its working. The third admission to which the right hon. Gentleman has referred is, that I said that no effects prejudicial to health were found to follow from factory labour. Sir, I did not make so large an admission. I cannot help thinking, that in the case of females from 12 to 18 years of age, and after that period, when they have families, there must be something prejudicial to health in working for twelve hours daily in a factory. I never said, therefore, that no bad effects followed from factory labour; but I did say that, looking to the reports of the Registrar General, they did not bear out the inferences which I understood the hon. Member for Oldham to have drawn from them as to the mortality in the manufacturing districts as compared with other parts of the country; for those returns show on a comparison between Liverpool and Manchester, that the mortality is greater in Liverpool, although the returns show a much greater mortality in the population of large towns than in a country population. I said that I did not think it appeared from them, that, as compared with other town employment, manufacturing labour was decidedly unfavourable to health. Then, with respect to the time of working, the right hon. Gentleman said that I stated that a Ten Hours Bill was fraught with danger, and that we ought not to advance beyond eleven hours. Now, I said that, looking to the magnitude of the interests involved, and to the excitement on the subject that exists in the country, it would be desirable to proceed with caution, and that I should therefore prefer eleven hours to ten; but I did not say that a Ten Hours Bill was fraught with danger; and I will now say this, that, though I shall vote against ten hours, and in favour of eleven in Committee, yet, if the House should decide in favour of ten hours in Committee, I will cordially vote for ten hours on the third reading,

Lord J. MANNERS said, that the right hon. Gentleman (Sir J. Graham) had said that he (Lord J. Manners) had advised the House to use a curb to the manufacturers. Now, he believed he should be in the recollection of the House when he said, that in applying that metaphor, he was quoting some well-known lines from Shakspeare; and his argument was, that those Gentlemen who opposed the Bill on the ground that it would hamper the manufacturing interest, might as well argue that breaking in a young horse and placing a curb in his mouth would destroy all his natural powers.

Viscount MORPETH: Sir, I think it allowable to be brief on this occasion, because the subject has been so much illustrated, that everything either in point of argument or in point of feeling, has already been exhausted; it is not therefore necessary to go deeply into it at present. I am also ready to admit that I cannot accede to the decision to which I have felt it my duty to come without considerable misgivings; and, indeed, during the present discussion I should have envied those who felt they could take either alternative with perfect security and with perfect confidence in themselves. I assent to the desirability of lessening the hours of labour; but I think that any practical scheme by which it can be effected, will be attended with so much of risk and uncertainty, that any application of it should be as gradual, as cautious, and as experimental as possible. I know that this will subject me to the taunt of voting for a half measure, and of dealing with the subject in a spirit of compromise; but it remains to be seen whether such a course is not consistent with good sense. I am therefore prepared to go into Committee, and when in Committee to vote for a limitation of eleven hours; but if the Bill shall emerge from that Committee with a further limitation of hours to ten, I cannot say that I share in the confidence of my right hon. Friend (Sir G. Grey), and I cannot pledge myself to support any further limitation of the hours of labour than eleven. I am prepared to consent to that limited reduction for the following reasons: In the first place, as far as I am personally concerned, I think that a matter of good faith is somewhat mixed up with the question we are now discussing. I have stated in various places, and at various times, whether wisely or not I will not now say, that if ever Parliament should agree to a relaxation of the duties which enhanced the price of food for the people and prevented the free importation of corn, I should be willing to consider, with a view to their reduction, the hours of labour of the working classes in this country. It is true that the existing state of things may diminish the cogency of this consideration, as we have now more of free than cheap corn; there is at the present moment prevailing at one and the same period short time and dear corn; and although I admit that the short time is a temporary matter, and I do not think that circumstance in itself diminishes the force of the reasoning of the right hon. Gentleman (Sir J. Graham), yet if at a period of short time we introduce general hours of work, we are, in my opinion, likely to create less shock and disturbance. I attach, Sir, great weight to what has taken place at Leeds, and to the experiments which have been actually carried on in the mills of Mr. James Marshall; and in mentioning his name, I am sure that all who know him will be of opinion that I could not quote a higher authority, whether we look to the extent of his operations, the length of his experience, or his indefatigable zeal in endeavouring to promote the physical and moral improvement of his workpeople. It will be satisfactory that I should give his own words:—

> "It may be of some interest to you to know the further result of our working eleven hour time. We find that our weekly production, during the latter nine months of 1846, working sixty-four hours per week, is only about one half per cent less than the weekly produce during the corresponding period of 1845, when we were working sixty-six hours per week."

So that by reducing the hours of labour two hours a day, which, in point of time, is three per cent, there has been an actual reduction in the production of no more than a half per cent. Now, this actual instance very much outweighs, in my opinion, the gratuitous assertions on either side. If by greater punctuality, or by improved machinery, or by more alacrity to work amongst the hands, we can reduce the hours of labour without materially reducing the amount of production, we shall be effecting a great good. But, in fairness to the House, I am bound to add that I cannot quote Mr. Marshall as an advocate for the compulsory reduction of the hours of labour; for he goes on to say—

> "Our example has not yet, I believe, been followed by more than one flax spinning-house in Leeds, and one in Ireland. The general feeling in Leeds is in favour of eleven hours time; but it is doubted whether that regulation could be generally adopted by voluntary agreement only. I can scarcely say that I am sufficiently sanguine to expect that eleven hours time is likely, within any short period, to be voluntarily adopted universally, or without large exceptions. But I think that in all such cases of interference by legislative enactment with what ought to be the private arrangements of individuals, public opinion ought to precede and prepare the way for the coercive measures of the Legislature. I would still, therefore, ask for further time, and deprecate any immediate legislative change."

The right hon. Gentleman (Sir J. Graham), with no feelings of inhumanity, and with no want of sympathy for the working people, declared that to eat, to drink, to work, and to die, is the general lot of the labouring classes throughout the world; and I feel that there is too much truth in that statement; and it would be only a false and sickly sympathy to say, with respect to two of those particulars—to eat and to drink—that they did not render it the duty of every Government to make them their primary consideration in their dealings with the working classes. Still, I cannot omit to embrace any opportunity for counteracting these exclusively animal tendencies. Therefore I upon this account entirely coincide in the view taken by the hon. Member for Leeds (Mr. Beckett), that an Eleven Hours Bill will give the workmen some additional time for ease and improvement. I believe that the working class have no objection to begin work at five or half-past; and if an hour and a half be taken for meals, they will be set free at six o'clock—a time when other persons engaged in occupations in the towns, in the warehouses and counting-houses, are also set free; and if we set the workmen free at the same hour, we shall give them opportunities of going to their mechanics' institutions and to their lectures. I do not flatter myself that all will devote themselves to such pursuits; yet there is an increasing tendency to do so, and it is the duty of this House to promote that tendency. I need not state in this House, that a considerable portion of my constituents consist of the manufacturing classes and millowners, and that I would never wish to curb them, either in the dramatic or prosaic sense of the noble Lord; and though, by adopting the Eleven Hours Bill, I regret that I cannot go to the extent to which the working classes desire, I am willing to hope that we shall contribute something—I do not say all that we could wish—towards affording them the opportunity of increasing their domestic ease, their social enjoyments, and their general intelligence, without any material loss or diminution of those daily supplies by which alone they can be kept alive.

Lord GEORGE BENTINCK said, his noble Friend who had just sat down had told the House, that a reduction of 3 per cent in the hours of labour in Mr. James Marshall's mills at Leeds, occasioned only a reduction of ½ per cent in the produce of his manufacture. ["No, no!" "Calculate it."] Well, he had calculated it. The noble Lord had told them that a reduction in the period of labour from 66 hours to 64 hours a week—and that was equivalent to 3 per cent reduction in the hours of labour—occasioned a loss in Mr. James Marshall's mills at Leeds, of no more than "½ per cent" in the produce of his manufacture; and if he would be pleased to carry on that calculation, and apply it to the measure before the House, whereby it was proposed to reduce the hours of labour two hours a day six days in the week, he would find, if he multiplied by six the ½ per cent lost in the produce of Mr. Marshall's mills by reduction of two hours in the weekly period of factory labour, that the proposed reduction of twelve hours in the weekly period of labour ought to occasion no greater loss in the gross weekly produce of the factories of this country, than "3 per cent." If two hours a week gave a loss of ½ per cent, twelve hours a week would give a loss of 3 per cent. He regretted that after this conclusive evidence adduced by his noble Friend, he should still be found halting undecided between the two principles involved, and that he should have resolved to take the *juste milieu* course, which, it seemed, would meet the views of neither party. The right hon. Gentleman who lately addressed the House with such great ability (Sir James Graham), commenced his address by stating, fairly enough, that this was not a Bill to prevent young persons, if they thought fit, from working short time; but that it was a Bill to prevent men from working long hours, and reaping the full harvest of their industry. Though that was, technically speaking, the effect of the measure, yet they had heard, from the hon. Member for Salford, that it was very far from being the substantial truth. Practically, they had to consider whether or not women and young persons under eighteen years of age, should henceforth be obliged to work more than ten hours a day. There was one argument held forth by the right hon. Gentleman the Member for Dorchester (Sir James Graham), which he confessed rather surprised him, after the course which the right hon. Gentleman took in the last Session of Parliament. The right hon. Gentleman appealed to the justice of the House not to break in on the vested rights of the manufacturers in their machinery. The House never heard last year from the right hon. Gentleman anything of the vested rights of the agriculturists. They never heard of the vested rights of the tenants in their long leases of farms, when, last year, it was proposed and carried to do away with that protection which the right hon. Gentleman himself used to say was guaranteed to them by a law stronger than that which guaranteed consols themselves. But the right hon. Baronet went into a statement as regarded the commerce of the country, derived from the navigation returns which had been that morning laid on the Table of the House. He was greatly surprised that the right hon. Gentleman should have deduced from the circumstance that, according to that return, the export of goods and manufactures had greatly decreased in consequence of free trade, an argument that it would be at this time peculiarly injurious to reduce the hours of labour. Why, if the result of free trade was that the exports and manufactures of the country had diminished, and that the manufacturers were now suffering, not from an inability to find workmen, but from the glut of their manufactures, which crowded all the foreign markets, he was at a loss to understand why this should be, therefore, an unfortunate moment to try an experiment of a further reduction in the hours of labour. But, as the right hon. Gentleman had read through that list, he was surprised it did not occur to him that one of the reasons why their exports had diminished was, that foreign nations (more wise than ourselves) had been protecting their native industry, and that while in this country we had been reducing or removing protective duties, other countries had been adding to the duties which they imposed on the admission of British manufactures; and that, too, while here we had been taking off the duty on the export of machinery. If the right hon. Baronet would look to this return, he would find that the export of cotton manufactured goods had decreased 10 or 12 per cent, while the export of machinery had increased 25 per cent; and that while cotton goods decreased, the export of cotton yarn increased in the same degree. Thus foreign nations were now taking our semi-manufactured goods with one hand, while with the other they were taking our machinery, in order themselves to manufacture those goods which were formerly manufactured in this country and exported in a finished state. The hon. Member for Salford, who addressed the House, uttering sentiments so warm-hearted, so generous, and so noble, in defence of those with whom his earlier recollections were associated, put forward such able arguments in support of this Bill, that it would be vain for him to follow, and still vainer to attempt to exceed them. He would, therefore, allude to another point, one that had been put forward by the hon. Gentleman the Secretary to the Admiralty. The hon. Gentleman told them that it was not fair to come now, and, on account of their free-trade measures of last year, to ask the manufacturers to reduce the hours of labour, because the foreign corn which was to benefit them had not yet been sown. He should like to hear from the hon. Gentleman when the period would arrive when, in his opinion, the full operation of the free-trade measures in corn would entitle the House to demand from the manufacturers a restriction in the hours of labour? The hon. and learned Gentleman who opened the debate said, why were they to stop at ten hours? He stated that Mr. Oastler had at one time advocated eight hours' labour, and asked why they should not have six hours put forward as the proper time? His answer to that demand was, that the working classes of the country had themselves maturely considered the subject, and had, with common accord, come to the conclusion that ten hours was the period, beyond which, consistently with human strength, health, advantage, and justice to all parties, a day's labour ought not to continue. He had therefore a right to hold that ten hours was a fair period for a day's labour; and it was time enough when the operatives asked for a still shorter period, to consider whether the demand was a just one. The hon. and learned Gentleman also asked, would they, in the present period of scarcity and of the high price of provisions, deprive the working classes of this nation of the opportunity of reaping the full return of their industry, and of gaining wages sufficient for the purchase of a supply of provisions for their families? He would wish the hon. Gentleman to show him a single instance in which the millowners — in case no law were passed — would just now offer to their operatives work at full time and for full wages; and if he could not do so, where then was the value of the argument? Had they not shown that the mills were working short time, or at least that the greater portion of them were so working, in consequence of the glut of manufactured goods in the market? But, said the hon. Gentleman, the last interference was beneficial, and that was a reason why they should stop. The hon. and learned Gentleman the Member for Winchester quoted the evidence of six operatives, who, as he stated, were all in favour of unrestricted hours of labour. That might be; he also quoted the evidence of two clergymen; and the last passage which he quoted from one of these gentlemen was an admission that the factory children did not certainly look so well as children ordinarily coming from the country; and then the hon. Gentleman, appealing to the House, said, "Do we look so well after sitting six months in this House, as when we first come from hunting and shooting in the country?" Now, as far as the hon. Gentleman was concerned, he confessed he could not see that the hon. Gentleman's parliamentary duties had caused his personal beauty to fade. In fact, the hon. Gentleman looked to be as jolly, and his cheeks were as cherry, as the first day of ths Session. He did not see, however, how the fact, if it were so, that they injured their health and constitutions by sitting long hours in that House, was a good argument why young persons should be daily retained for a still longer number of hours, and that, too, not for six months at a time, but for the entire year, and from year to year throughout their lives, toiling in their factories. He really heard no argument in favour of this Bill that could weigh for a moment with him. As far as the operatives were concerned, they had the fact before them, that out of 260,000 operatives engaged in the cotton trade, they had 230,000 petitioning that House in one year in favour of this Bill. They had, on the other hand, masters employing 47,000 workmen themselves coming over to the opinion that it would be more advantageous for the trade that the hours of labour should be reduced. When they saw persons so well conversant with the subject as the hon. Gentleman who introduced the Bill, and the hon. Member for Salford, also strongly in favour of the measure, he could not but feel that it was one which, whilst it was looked upon with favour by the great mass of the people of this country, was entitled to the support of this House; and he would, therefore, vote for the Motion that the Speaker do now leave the Chair.

Mr. T. M. GIBSON desired to make a few observations, before he gave his vote on the question then before them, and he would endeavour to confine himself as closely as he possibly could to the question immediately under consideration; for the commencement of the noble Lord's speech did not, he should remind the House, refer to the matter under discussion. It referred to other questions relating to trade, and relating to commerce, and would almost have led a bystander to the inference that the noble Lord was influenced in his support of this measure, interfering with the vested interests of the manufacturers, by something like a spirit of revenge, because once before the vested interests of the agriculturists were interfered with by measures supported by the manufacturing body. He wished, on the contrary, to discuss this proposition simply on its own merits, and without any reference to prior measures or other considerations. It was impossible for a more important question to be submitted to the consideration of the House. The right hon. Gentleman the Member for Dorchester had so ably pointed out the vast extent and importance of the industrial interests with which this measure interfered, that he would not venture to travel over the same ground. He would merely add to the right hon. Gentleman's statements, that the cotton manufacture, with which, by representation, he was more immediately connected, was more interfered with by this Bill than any of the other staple manufactures of the country. The cotton manufacture also formed the largest proportion of the export trade of the United Kingdom. Any interference, therefore, with it involved the highest and weightiest considerations connected with the measure. The hon. Member for Leeds (Mr. Beckett) stated, that many manufacturers were in favour of this measure, and that many persons whose vested interests were supposed to be interfered with were supporters of the present Bill. He had a very easy answer to that remark of the hon. Gentleman. Was it not true that in Yorkshire great numbers of manufacturers connected with the woollen and other trades, only worked their mills eleven hours, and eleven hours and a half. There was, therefore, no reason, inasmuch as the Bill did not interfere with them, why they should set themselves in opposition to it. The Factory Commissioners themselves had remarked upon that circumstance, and what did they say? Why this—

> "Upon examination we invariably find that the exact time to which adult labour might be restricted, as each of these manufacturers conceive, is the exact time to which he works his own mill. The persons whose machinery usually works 11 hours or 11½ hours, considered that 11 or 11½ hours ought to be imposed by law as the maximum of adult labour. The person who works his mill 12 hours is an advocate for the limitation of adult labour to that period."

He did not, therefore, attach much value to the argument that certain manufacturers, the particulars of whose names and trades were not mentioned, were in favour of this measure; but this he would say, connected as he was with Manchester, that the great body of the master manufacturers in the cotton trade certainly did not acquiesce in it; and if the House, ill-informed as he believed it to be upon what might be the commercial results of this measure, was about to force its regulations upon that important trade, under an idea that the great bulk of the cotton manufacturers and capitalists connected with the cotton districts were in favour of it, he assured them they would be acting under a delusion and a mistake. The noble Lord the Member for Lynn (Lord George Bentinck) had reminded the House, that the abolition of the corn laws was an interference with vested interests; and that the right hon. Gentleman the Member for Dorchester (Sir J. Graham) had not, in those days, when the corn laws were repealed, shown or expressed much sensibility as to interference with vested interests. He would take the liberty of stating his views, not of the corn-law question, but of the analogy which existed between the question now before the House, and that which the noble Lord the Member for Lynn had recently introduced. The corn laws were a restraint upon the industry and the trade of the country. Those who supported that restraint, failed to prove that such a regulation was advantageous to the community, consequently the restraint was removed by the Legislature.

In the same way the *onus probandi* rested with those who proposed this restraint upon the labour of the country; it was for them to show that the restraint would be advantageous to the persons upon whom it would be imposed; and more than that, it was for them to show that it would be advantageous to the community at large. It was not for those who opposed this restraint to show the particular evils that would arise from it—nothing of the kind; they were not bound to demonstrate mathematically the exact reduction of wages that would follow the proposed limitation of the hours of labour. [" Hear !"] No, they were not. Every restraint, he contended, was *per se* an evil, and until the Legislature could point out the advantage to the individuals restrained, and the benefit to the community at large in the regulation proposed, it was not justifiable to pass the proposed restraint into a law. Now, he denied it had been shown that this restraint upon the free labour of adult women, and young persons between the ages of 13 and 18, would be an advantage to them, or an advantage to the community at large; he denied its having been shown that this restraint upon their labour would not produce a large reduction of wages; he denied it had been shown that the compulsory leisure which was proposed to be given to those parties would be employed in any way more to their moral and physical advantage, than the time which they might spend in the factories. It was proposed to give compulsory leisure to certain parties, and there they stopped; they did not follow them into the way in which that leisure should be employed. When they dealt with the children in the factories, they did follow them in this respect. Children, they then said, should not be employed in mills more than six hours for each day; but they went further, and said that the other six hours, the remaining part of the day when they were out of the mill, should be employed in schooling and in education. In the present case there was nothing of the kind proposed. They simply contented themselves with excluding a number of adult females—free agents, responsible for their actions to the laws of the country—from certain mills, and from certain earnings they were now in possession of, and there they stopped. The House was not told how their leisure was to be employed; it was not in the slightest degree shown that the whole twenty-four hours would be better employed to the moral and physical advantage of the party for whom they were legislating, than they now were; and he contended the supporters of the Bill were bound to show these particulars, before they could expect Parliament to impose the proposed restraint upon the labour of those individuals. He must, therefore, say, as one who had been invited to give his consent to this further limitation of the hours of labour, he must positively decline to share in the responsibility of such an act. And when he considered under what circumstances Gentlemen had invited him to agree to such a limitation of the hours of labour as that proposed by this Bill, he must say, that, merely looking at their authority, it was perfectly discouraging to take such a step. One thing was quite certain, namely, that if the hours of labour were limited to six or to four hours *per diem*, the cotton manufacture, and other manufactures connected with it, would be entirely destroyed. It was clear, therefore, that there was a point over which the House must not pass, or, if they did, they would destroy entirely the trade with which they interfered. The supporters of this Bill made this admission themselves; but they were not agreed among themselves how far it was safe to go on this perilous road. The hon. Member for Oldham (Mr. Fielden) told the House that he was for reducing the hours of labour to eight; no harm, he said, would be done by it, the same wages would be earned, and the same prosperity would attend the greatest staple manufacture of the country. A number of other Gentlemen invited the House to go as far as ten hours, beyond which, they said, it would be unsafe to go. Another party said, they must not go even to that extent, for, if they did, the cotton trade would be injured, and that eleven hours was the utmost extent. Then, up started more cautious Gentlemen still, who said, "For God's sake do not stop at eleven hours; stop at eleven hours and a half; for if you go further than that you may injure this great staple manufacture of the country." The advocates for interference were, therefore, not agreed among themselves how far they could go; and he must say, that being himself unconvinced by the arguments urged in favour of a further limitation of the laws of labour, that the authority of Gentlemen so divided among themselves, and so utterly unable to agree how far they might advance with safety in this direction, did not encourage him, at least, to give his vote for the Bill. Then, consider for a moment the conflicting character of the arguments that were used. His hon. Friend the Member for Finsbury said positively he would not vote for the Bill, if he believed it would have the effect of reducing wages 25 per cent; but no hon. Gentleman had undertaken to show the House it would not have such an effect upon the wages of labour. Common sense would tell them that if they caused, by law, expensive machinery to stand still, and if by the same law they caused the operative to lose one day in a week more than he now lost, there must be a considerable loss somewhere; and it would require some little demonstration to prove that the loss, which must be felt somewhere, would not fall upon the operative classes; especially as the House had been told, over and over again, that the capitalist was stronger than the operative, and especially as they had been told, over and over again, that the Factory Bill was designed to guard the operative from the "tyranny of capital." If capital, then, were the strong man, capital would have it in its power, according to the admissions of the supporters of the Bill, to impose this loss entirely upon the operative classes. Did it not stand to reason? And when we saw the vast flood of poor Irish labourers flowing into the manufacturing districts, competing with our English labourers for employment, and the immense accumulation of distressed persons waiting to do any amount of labour for the means of bare subsistence, could we for a moment doubt that the effect of this Bill would be to throw the loss of the reduced hours of labour, in the shape of a reduction of wages, upon the working classes? His hon. Friend the Member for Finsbury ought not, therefore to be so easily satisfied, as he appeared to be, that this measure would not reduce wages by the amount of 25 per cent. Indeed, his hon. Friend must have felt some doubts upon the subject, because he recollected him having moved for the appointment of a Committee to inquire into what would be the effect of the Factory Bill upon the wages of labour. That Committee was refused; and, at the present time, his hon. Friend said he would not vote for a measure which he believed would impose a reduction that would inflict so large a loss upon the earnings of the working classes. But, then, another hon. Gentleman was prepared to reduce wages. "I think," he said, "that the leisure which would be given by this Bill is worth more than all the loss of wages; for the workmen will have moral and intellectual improvement, which is worth more to them than the loss that the Bill will impose on them." Again, he (Mr. M. Gibson) must remind the House that the Bill did not provide the means of intellectual and moral improvement. Nothing whatever was done in that way. All the Bill did was, to turn these parties out of the factory; and it left them to take their chance of that moral and intellectual improvement upon which so much had been said—[An Hon. Member: There are the Manchester parks to walk in.] As one of those who, as it appeared to him, were called upon to vote in the dark on this great question, he considered he was entitled to examine the arguments used by those Gentlemen who invited him to follow in their course; and he frankly admitted, as several of his hon. Friends holding the same opinions had admitted, that if any advantage could be shown to the working classes from this Bill, he would vote for it. He was convinced as much as any man, that the moral and physical well-being of the operative classes was identical with the permanent welfare of their employers, and of the capitalists who owned the large and extensive mills of the manufacturing districts. At the same time, there were conflicting opinions among the promoters of this Bill. He must venture to remind the hon. Gentleman the Member for Knaresborough (Mr. Ferrand) that he had pointed out a course which would be a more satisfactory settlement of this matter, as between the working people and their employers, than the proceeding with a parliamentary enactment. That hon. Member also presented himself to the House with a great and a complete difference of opinion as to the state of feeling among the working classes from that given by other hon. Gentlemen who supported the measure. By some it had been said that the working classes could not themselves settle this question with the masters, and that, unless it were settled by legislation in that House, it would never be determined at all. The hon. Member for Knaresborough, however, in his speech the other evening, distinctly told the House it was quite immaterial whether they legislated or not, because the working classes had determined, by an unanimous resolution, only to work ten hours per day, and that, whether the present Bill were passed or not, they would take very good care to benefit themselves in this respect by their combination. He must again confess this was a most discouraging disagreement of opinion, and one not at all likely to induce him to embark on this difficult course of legislation. But there was another and a very strange mode which some hon. Members had taken of advocating this question. They brought to their assistance, as it appeared to him, statements that had nothing whatever to do with the purpose and scope of the Bill now before the House. They told the House, for instance, of the infant mortality in the factory districts, and of the mortality among persons who had never been engaged in factory labour; then they said it was the neglect of the mothers, in consequence of their absence from their homes, that caused all the infants to die. Undoubtedly it was a most appalling fact, that fifty or sixty per cent, as the noble Lord the Member for Newark said, of the infant population in those districts should die before they arrived at the age of three or four years. [Lord J. Manners: Five years.] He thought the noble Lord had said three or four years. But did the House suppose that the absence of the mother from her home for thirteen hours, which was what was proposed by many Gentlemen should take place—namely, the advocates of an Eleven Hours Bill—would make the difference of not taking care of the health and lives of her infant children? Must not a person who was absent for thirteen hours out of the twenty-four, hire somebody to have the sole and exclusive charge of the infants under these circumstances? At present, persons so situate were absent fourteen hours. The Eleven Hours Bill proposed they should be absent thirteen hours, and the Ten Hours Bill that they should be absent twelve hours. He said then, in such cases, that it would be necessary for the mother who was absent for so long a period, to engage the services of some other person to take charge of her infant. But after all, he would ask whether this infant mortality was, in point of fact, connected with factory labour? The mortality at Bethnal-green among infants, where there were no factories, was sixty per cent. The mother there was always at home engaged in domestic pursuits. How did those who used this argument get over this fact? Why should the supporters of this Bill call upon him, in order to prolong the lives of infants, to interfere with factory labour on that ground, when he showed them that in other parts of the country there were places where an equally great infant mortality prevailed. The report of the Sanatory Commissioners upon the Health of large Towns said, there were actual instances where children, infants, had been taken to the factories, and placed there because the atmosphere was more healthy than in their own cottages. This was stated in a parliamentary book for the guidance of hon. Members. If the House wished to prolong the lives of these infants, and to give the mothers more opportunity of attending to them, they would accomplish it better by following the advice of the noble Lord the Member for Plymouth (Lord Ebrington), who would exclude women altogether, either from mills or from the Bill, he had forgotten which. [Lord Ebrington: I mean the Bill.] The noble Lord, at any rate, differed most materially from other hon. Members who supported the Bill. The noble Lord, indeed, was a remarkable example of the extraordinary differences of opinion he had referred to, and of the difficulty the supporters of the measure had in agreeing among themselves how far they would go on this question, for he would altogether exclude from the operation of the Bill the whole class of adult women. Another statement had been made in order to guide hon. Members in their votes on this question. They had been told there was a great consumption of opium in the manufacturing districts. He would ask whether people who were so disposed could not eat just as much opium, when they worked one or two hours less, as they did before? Would a reduction in the hours of labour prevent them from eating opium? If the object was to prevent tho working classes from eating opium, why was it not so proposed in the Bill. Why was not opium interfered with in the rural districts among the agricultural classes? The House had also heard a great deal about drunkenness and immorality as applied to the manufacturing districts; and the hon. Member for Knaresborough had read a long statement concerning persons spending their Sabbaths and Saturday afternoons, their times of leisure, in drinking gin in public-houses. [Mr. Ferrand: That was Mr. Greg's account.] He wanted to know what remedy the present Bill afforded for such a state of things. There was nothing whatever in it to prevent persons from drinking gin or beer in public-houses. That evil, therefore, remained where it was. What he complained of, then, was, that the supporters of the Bill should drag to their assistance all this kind of irrelevant narrative, which really did not in the slightest degree come within the scope of the measure. Whether a ten or an eleven hours Bill was obtained, the people, who were so minded, would eat just as much opium and drink just as much beer as they did now, with this exception, that perhaps they might not have the same means, from their wages, of indulging in the expense of such luxuries. In fact, Mr. Alison, a great authority with the Gentlemen who supported short-time legislation, distinctly said he supported this Bill mainly upon the ground that it would diminish wages, and by diminishing wages deprive the working people of the means of intemperance. His hon. Friend the Member for Weymouth had, in his way, given the House some very graphic descriptions, which, he must say, had nothing to do with the Bill under consideration. He described, for instance, a man walking in one of the parks at Manchester, with his back strained, in consequence of his labour. [Mr. BERNAL: No!] He begged pardon; his hon. Friend had certainly given many descriptions, showing the little use there would be for the parks; but when his hon. Friend came to show the bearings of the measure before the House on the welfare of the people, his hon. Friend completely failed. His hon. Friend talked of the labour of working men, but he did not propose to put men into the Bill; he did not prevent the evil which he professed to regret. If his object was to limit the hours of adults in mills, why not say so, and put them into the Bill? It was perfectly clear that, even if the manufacturers could discover some mode of carrying on their business in the mills solely by adult labour, dispensing entirely with the labour of women and children, the evils of which his hon. Friend complained would remain completely unremedied. Those men who had laboured under the muscular affections, and all the other difficulties which he described, would labour under them just as much as ever. In consistency, therefore, his hon. Friend ought to have brought the parties for whom he was so warm a friend into the scope of this measure, by limiting the hours of their labour. A good deal had been said as to the effect of experience in this kind of legislation. They might proceed boldly with this Bill, it was said, because they had legislated before, and no harm had been done. Prophecies of injury, they were told, had been made before, which were not fulfilled. Even if it were true that former legislation had done no harm (which was, after all, questionable), and although it might have done some good, it had never been shown that it had done no harm. One of the factory inspectors said that as far as children were concerned, in Scotland it had placed them in a worse moral and physical condition than they were before. The effect, said the inspector, had been to exclude them entirely from the mills, and they were running about the streets of Glasgow; there were no schools for them to go to, and the consequence of factory legislation had been, that not one single school had been built, as the result of it, in any one of the manufacturing towns of Scotland. He contended, that past legislation had nothing whatever to do with the measure now before the House. Past legislation had mainly been for children under the age of thirteen; and his hon. Friend the Member for Salford (Mr. Brotherton) had stated from some authority facts, in which, however, he did not believe. [Mr. BROTHERTON: The statement was Mr. Roebuck's.] The statement made by his hon. Friend, however, referred to children under the age of thirteen, whose case was not now before the House. Why should the question as to children be introduced at all? It was not under consideration at all; the question concerned adolescence and adults, and there was no use in harrowing up the feelings of hon. Members with the recital of irrelevant matters concerning that which had been the subject of past legislation. They did not know what the state of those children and of the factory population would have been had no Bills of this kind been passed; but the House had no right to lay to the credit of its legislation all the improvements that had taken place in the habits of the factory population during recent years. Had not improvements taken place in the habits of all classes in this country? Drunkenness, and vices of a corresponding description, were formerly far more prevalent among the higher and aristocratic grades of society than they were at present; and in his opinion it was the discountenancing of those vices among the higher ranks, by the force of example, that had caused greater sobriety among the working and operative classes. It was not, therefore, for the House to claim the credit for its factory legislation of all the improvements in the morals and habits of the people in the factory districts. It was a fact well known in the House, that the factory inspectors were not unanimous even upon the effects of its past legislation. They were far from being unanimous upon the proposals now submitted to the House. His right hon. Friend the Secretary of State for the Home Department (Sir George Grey) justly said, that if the factory inspectors were unanimous, their authority ought to have great weight in that House; because they must be supposed to be disinterested parties. But were they unanimous? Nothing of the kind. Mr. Stuart, he believed, was against the measure. This gentleman was the factory inspector who also doubted the beneficial result of past legislation. And with reference to past legislation, a circumstance occurred the other day, in the city of London, which struck him as one which it would not be exactly easy to justify. It was the case of certain grown-up women who were taken to a public police office. They had been employed by Mr. Plumer in balling cotton — winding cotton into balls, after half-past eight o'clock in the evening. This was the offence with which they were charged. It was not that they had been employed in balling cotton for a great number of hours—no hardship had been committed againet them; but, according to factory legislation, they had been guilty of the crime of balling cotton after half-past eight in the evening. Could there be a more innocent or more harmless occupation in the world than that of winding cotton into balls? Yet in this civilized city, where females might walk the streets all night as prostitutes—where they might sit in ginshops for hours and hours, indulging in intemperance, they were brought up at a police court for the crime of balling cotton after half-past eight in the evening. Could any one point out to him what possible advantage, either present or remote, it had been to try to prevent grown-up women following this occupation after half-past eight in the evening? There was no steam engine on the premises. They worked in a building in connexion with the factory; and they prayed, for the purpose of maintaining themselves and their families, to be allowed to come and go at their own convenience. But when their convenience led them to work after half-past eight in the evening, in stepped the law and said, "This is an offence against the morals and the propriety of England; your employers shall be fined; you must be contented with the reduction of your wages, and console yourselves with the reflection that you have a little leisure after half-past eight in the evening for your moral and intellectual improvement." What an absurdity! What twaddling trifling was this! Would any man in that House tell him it was a disadvantage to anybody that these women should earn a few shillings per week in balling cotton after half-past eight in the evening? Would any man venture to make such an assertion? If that were so, did they intend to allow the present Factory Bill to remain as it was? He had had an interview with the employer of these persons, and that gentleman had told him that the effect of the Factory Bill had been to throw them out of work, and to deprive them of the whole amount which they would have earned. One of the females was forty years old. She was not one of the little children for whose moral and intellectual improvement so much anxiety was professed; yet it was considered an advantage, that this woman, forty years old, should be turned into the streets, because she had the audacity to wind cotton into balls after half-past eight at night. This was a sample of past factory legislation; and he dared to say, if he were to search into matters, he could find innumerable cases of the greatest hardship, and the most absurd interference, caused by past factory legislation. Although he would not deny, because he did not know to the contrary, that with regard to children, who could not be considered free agents, past factory legislation might have done some good; yet he must qualify that assertion by stating his belief that it had been productive of considerable injury. But past legislation was no guide upon the measure before the House. Past legislation had often practically interfered with the hours during which machinery could be worked. It had reduced the exceptions to the rule, and merely gave the sanction of law to what had become already custom; and he believed that, practically, the great bulk of the manufacturers—for so he had been informed—really worked no more than twelve hours per day, to which the law had reduced them. But even if it were not so, legislation of a totally different kind, affecting a portion only of the people, namely, children under 13 years of age, instead of persons above the age of 13 — legislation, he said, of this character, could not be quoted as a safe guide for legislation of a totally different description. It had been contended, that they were not bound to go further in this legislation than the factory districts; that they were to do good as far as it might be in their power; and that they were not under the necessity to proceed to carry out the principles of interference with labour beyond where it might be practical and easy to carry them. He must demur to that proposition. The working people of England had all a right to demand, at the hands of the British Parliament, an equal amount of favour and an equal amount of protection; and if it were right and fit for Parliament to give to the factory operative this measure for the limitation of the hours of labour, it was the duty, the bounden duty, of Parliament, from which it could not escape, to grant the same indulgence and the same favour to all other classes of the operatives of this country. If this measure was for the benefit of the working classes in the cotton districts, why did it stop with the cotton districts? Could the House justify the withholding from the other operative classes of England what was considered so great a boon to one? For forty or fifty years they had been confining their attention to cotton spinners and to the workers in cotton factories; and to this day they had made no signs of going any further. [Lord J. MANNERS: In the collieries we have.] The hours of labour had not been limited in collieries; why should Parliament confine all its favours to cotton spinners? Why not spread them generally throughout the country? What astonished him was this, that at the very head-quarters of the leaders of what was called the cause of humanity—namely, in Dorsetshire, there existed an amount of distress and privation that must harrow the feelings of any man who reflected upon it. Yet these Gentlemen made no effort whatever, nor showed sign of their intention, to bring in a Bill either to raise the rate of wages to the Dorsetshire labourer, or to alter the conditions upon which he gave his services. He saw nothing absurd in the proposition. It appeared to him, all the argument used on the other side had been just this—"it is desirable that persons should not work more than ten hours in factories, therefore we will pass a law to prevent them from doing so." Pursuing precisely the same line of argument, he said, "it is desirable the Dorsetshire farmer should give his labourers more than 7*s.* or 8*s.* a week, therefore we will pass a law to make him give them 10*s.* a week." Why not? It was very easy to raise a plausible argument to show that the farmer would be able to give these advanced wages without materially affecting his profits. He dared say he himself could easily furnish one to show it would not have the effect of ruining the farmer. If it were right to do this for the factory operatives, it was also right to do it for the agricultural labourer. There was no practical difficulty in the way of it whatever. It was to him most unaccountable that all the sympathy of hon. Gentlemen should be confined to labourers in the cotton factories, whilst they could not see with an impartial eye the distress that prevailed in other portions of the country. What was to prevent Parliament dealing in the same way with hospitals? The nurses there, he was told, were on duty sixteen hours per day—the day nurses sixteen, and the night nurses eleven. This was true enough. The day nurses came at six, and went away at ten; the night nurses did not come exactly at the same time; at all events, it was a fact that the nurses in hospitals would present a very excellent field for future legislation, for they worked much longer hours than females in factories. What was more important, they worked in a much worse atmosphere. What could be more dreadful than for a woman to be constantly attending the sick, breathing unwholesome vapours, and in constant contact with disease? What condition could be more calculated to excite feelings of compassion than that of the nurses in hospitals? He said, then, if a case were made out, it was the bounden duty of Parliament to include this class in the Factory Bill. But a great cause for the noble Lord the Member for Newark (Lord J. Manners), now that the case of the distressed needlewomen had been given up, the great subject for legislation, he would suggest, would be the melancholy case of the washerwomen. ["Question!"] It was the question. As he had said before, beyond all doubt, they were bound by every law of justice and humanity, if the present were sound legislation, to give to all classes of Her Majesty's subjects who suffered from long hours the same measure of favour and protection. Cotton, flax, wool, and silk-workers were not to be singled out as objects for the special attention of Parliament. A society had been formed which had some thoughts of applying for legislation with reference to the needlewomen. The noble Lord the Member for Newark perhaps had the Bill in his pocket. There were also the fustian cutters, who worked long hours in their own houses. He would only call attention, however, to the melancholy case of the washerwomen. The washerwomen stood upon their feet a greater number of hours in the day than any other class of adult women in the country; and only that very day he had been informed by a professional gentleman that they formed the greatest proportion of out-patients at many of the London hospitals. The cause of this was, that in consequence of so many hours' standing, they became affected with varicose veins, ulcerated legs, and other evils of a painful description. It therefore behoved the Gentlemen who had embarked in this course of legislation to protect the working classes from long hours of labour, to take the case of these poor women into their consideration. He should not vote for any extension of the principle of limitation of labour in cotton mills, because he believed it fraught with permanent evil to the classes whom it professed to assist. It was rash legislation, in his opinion, to endeavour to anticipate by a limitation of the hours of labour those improvements which the progress of society would gradually bring about; and he was convinced, on taking a commercial view of the question, no Gentleman had succeeded in showing that the effect of the measure would not be to deprive the operative classes of a large amount of the earnings they now enjoyed. It appeared to him a most anomalous course to pursue with regard to Ireland—that where they were endeavouring to provide employment for the people, they should at the same time be proposing to cut off employment. He was told there were some 20,000 operatives in Ireland who would be affected by this Bill, earning on an average about 10*s*. per week. If, as he believed, the effect of the Bill would be to cut down wages one-sixth, that would be a reduction of 88,000*l*. a year to those 20,000 persons in Ireland. It was very hard to bring himself to believe it could be sound policy in one part of the country to be providing employment for the people, and in another to prevent them from working as hard as they were willing to work. Take also the case of Scotland, where great distress was prevailing. There were 70,000 persons employed upon mills in Scotland which would be affected by this Bill. Their wages were proposed to be cut down for the purpose of obtaining this measure. Was that consistent with the other policy pursued in Scotland—namely, providing food and endeavouring to give employment to those who at this moment had neither? If the reduction of wages were to the extent he had mentioned—and it had not been shown it would not—the total sum withdrawn from the people of Ireland and Scotland would be something like 430,000*l*. a year. He was staggered, when asked to embark in the cause of humanity, on finding the effect was to withdraw 88,000*l*. per annum from operatives in Ireland, and 430,000*l*. from operatives in Ireland and Scotland together, as the first step towards carrying out this moral amelioration. It also made him naturally start and hesitate, whatever might be his feelings in favour of the cause of humanity, when he was asked to withdraw something like a million a year from the operatives of Lancashire to benefit their condition. He could not understand such an effect to be the first step towards the improvement of the moral and physical condition of the people. The noble Lord the Member for Lynn had told the House that immense benefit would be gained by railways causing the distribution of a larger amount of money among the working classes; but by this Bill the House was called upon to benefit Ireland by withdrawing a large amount of wages from the operative classes. What appeared to him the most anomalous of all was, the consideration that at the present moment they proposed to regenerate England by cutting off employment, and to regenerate Ireland by finding employment. He could not comprehend a policy so anomalous. When "leisure" was talked of, there it was in Ireland to the heart's content—there was an example of a country without the "tyrant capital grinding the people down"—there the people were living in that state of pastoral simplicity which had been often recommended by Gentlemen who supported short-time legislation; and what was the present condition of Ireland? Was "leisure" an evil there? Was the absence of the "tyrant capital" an advantage? Was the want of the "demon steam-engine" a great boon to the Irish people? He would, therefore, have the House to pause before interfering with large numbers of working people, who were at present in something like a comfortable position; he would have hon. Members pause before they undertook this hasty experiment upon the staple manufacture of the country. Our great cotton manufacture came into existence in a short period of time. Its rise had been rapid, and its fall might be equally quick. A great machine might be effectually disturbed by interfering with some small wheel that appeared to be of trifling account; and how did they know that by cutting off two hours a day from the employment of all the expensive machinery in England—by prohibiting it by law from working more than five days a week—creating as it were another Sunday, in addition to the Sabbath and the Saturday afternoon—they might not be taking a step that would cause the departure of the great cotton trade of England as speedily from its shores as it had taken root upon them. No security was offered that such would not be the case. Nothing was presented but vague conjecture. Nothing was given upon which a reasonable man could rest his foot with safety, and with confidence of mind that he was not shaking to the very foundations the stability of the greatest staple manufacture of the country. Considering that the export trade of England was the main stay of our national resources—considering that it was for the most part composed of the labour of our factory operatives—he called upon the House to pause and to hesitate before they rendered that labour of less account by diminishing one great element of its worth, namely, time. They had before them in Ireland the consequences of a people without employment and without sustenance; and they should not, without something like demonstration, proceed to those dangerous experiments upon the circumstances and the employment of millions of the operative class in our own country.

VISCOUNT EBRINGTON quite agreed with those of his hon. Friends who had explained some of the evils which attended the existing system; but they were the natural consequence of the adoption of a principle against which he had in vain protested—a principle which was at once new in our legislation and mischievous—that of interference with adult labour. He had supported the second reading of this Bill on the ground that, at the age to which our previous legislation on this question applied, children were too young to make their own bargains with regard to their labour. The question seemed to him to rest on the effect which such legislation might have on the well-being of the people. It might be very bad and very wrong that children and young persons should labour in factories during twelve hours; but it was equally true that in some places which were ill ventilated, eight hours work would be quite as injurious as twelve would be in better ventilated and better constructed mills. He hoped that at a future stage of the Bill a provision would be engrafted on it, enabling inspectors of factories to report on the state of health of the operatives in factories—that the same power would be given them, as to matters connected with ventilation, the absence of which brought on slow death, that they were now entrusted with as respected unguarded machinery, the neglect of which was so often the cause of sudden death. He thought, also, that the limitation of the labour of female children ought to be somewhat more than in the case of boys. He thought it would be also found advantageous if all future inspectors of factories were required to be medical men. The best results were found to have ensued where the superintendence of factories had happened to be entrusted to those who had received a medical education. He believed that such a proposition was likely to be favourably received by the manufacturers.

SIR R. PEEL: I thought it probable that some Gentleman being a decided advocate of the Bill would reply to the speech of the Vice President of the Board of Trade; and I therefore did not rise sooner, being desirous to afford to any hon. Gentleman who might so wish to address the House, a full opportunity of expressing his views. As time is now pressing [*it was nearly a quarter past Five*], I will not occupy more than my fair share of that time, but will give to any advocate of the Bill who may desire to speak, the means of doing so. But, Sir, as I have been supported by a majority, when on former occasions I have given my opinion against further interference with the hours of labour, I feel it incumbent on me, now that I expect to be in a small minority, and am opposed to the opinion of the noble Lord at the head of the Government, not to shrink from expressing, under these altered circumstances, my continued adherence to my former views and opinions. Sir, I have more than once excited a smile when, as First Minister of the Crown, I have said that there were three courses which it was open to me to adopt. The noble Lord who now occupies the office I held, has also succeeded to my position in that respect. Not only are there three courses, one or other of which it is open to the noble Lord to pursue, but he may also adduce in favour of each of those courses the authority of a Colleague and a Cabinet Minister. On his left sits his right hon. Friend the Secretary for Ireland—practically conversant with the commercial affairs and interests of this country, in the office which he filled for many years with great ability—who declares emphatically against further interference with the hours of labour. On his right is the Secretary of State for the Home Department, who is in favour of going into Committee, and who states further, that if in Committee the advocates of the period of ten hours should succeed in inserting the word "ten" instead of "eleven," though he prefers eleven hours to ten, still he is determined to consent to the third reading of the Bill. Now, it is sometimes painful enough to be compelled to come to a decision between two opposite authorities; but the noble Lord is in a still worse position—he is in the unfortunate dilemma of having three high authorities around him, each setting him a different example; for beside his two other Colleagues, sits the noble Lord the First Commissioner of the Woods and Forests, who says that if in Committee ten hours should be substituted for eleven, he in that case must vote altogether against the Bill. Now, Sir, there was a famous mathematical problem which was regarded as being very difficult of solution. It was this—to determine the point at which a body exposed to the attraction of three other bodies will remain at rest. I hope the noble Lord will give us the advantage of hearing that problem solved politically, which it is so difficult to solve mathematically; and will determine, as he is exposed to the attraction of three Ministerial bodies revolving in his immediate neighbourhood, whether he will remain at rest (which would be denoted by not voting at all) or whether he will yield to the superior attraction of some one or other of his three discordant Colleagues.

I must touch on a subject not immediately before the House, but on which, I trust, I may be allowed to say a few words. The noble Lord the Member for Lynn has assumed that the result of our experience with reference to the relaxation of restrictions on commerce, and the reduction of duties on articles of consumption of the first necessity, has disappointed the expectations formed as to the consequences of that policy. And the noble Lord has referred to the diminished exports of this year as compared with those of last year, for the purpose of proving the correctness of his assumption. Sir, my firm conviction is, that the result of all intervening experience has tended to demonstrate the truth of the principles on which we have acted. It may be true, that in this year, as compared with the last, there have been diminished exports; but if increasing exports are to be taken as a test of the policy pursued, let us review not the exports of a single year, but the exports of the several years that have elapsed since you commenced the relaxation of protective duties, and compare them with the exports of some antecedent period. In 1842 you altered the corn laws. You removed the prohibitions which had previously existed on the importation of many articles of foreign produce, and you reduced the duties on all the chief elements of manufactures. You then commenced that system which was acted on from time to time up to the end of last Session. Now, what was the result? In 1842, the declared value of our exports was 47,331,000*l.* In 1843, during the operation of this system of relaxation, of removal of prohibitory duties, and the more free admittance of the raw material, the declared value of our exports was 52,279,000*l.* In 1844, it was 58,584,000*l.* In 1845, 60,100,000*l.* It is true that in the year 1846 the exports were less than they had been in 1845; but, at all periods of our history, and especially when protection was at its highest, a great excitement in commerce has always been followed by a corresponding depression. Let us examine our exports at a period anterior to the adoption of a liberal commercial policy. In 1836, our exports were 53,000,000*l.*; in 1837, they fell to 42,000,000*l.*; in 1839, they were 53,000,000*l.*; in 1840, they were 51,000,000*l.*; in 1841, they were 51,000,000*l.* (protection then being in the ascendant); and in 1842, they were, notwithstanding, so low as 47,000,000*l.* So that, while the protective system was in full force, vicissitudes in commerce continually occurred, and depression followed excitement as a natural consequence. So also, in 1846, if there has been a reduction in our chief articles of export to the extent of nearly 2,000,000*l.*, as compared to the greatly increased exports of 1845, it is no very peculiar or novel circumstance. But are there no concomitant circumstances worthy of remark? Is there nothing to compensate and console us for the admitted fact of diminished exports? Nothing that may in some measure account for that fact? Have you not had, during the greater part of last year, a very high price of provisions in this country? Has not that high price of provisions prevailed also in other parts of Europe? Has not that high price of food tended to cripple the means of expending income on superfluities, on all articles less necessary than those required for subsistence? Do not you see in that fact, coupled with the high price of the raw material of one at least of your chief manufactures, quite enough, independent of the natural vicissitudes of trade and commerce, to account for the diminution of exports in 1846, as compared with 1845? But can you show me at any former period of similar depression a buoyant revenue? Can you show me in former cases of commercial adversity, such a feeling of contentment—of patient submission to privation and suffering—pervading all classes of the country as has pervaded those classes in the last year? And what was it that determined them thus loyally and patiently to bear up against misfortune? The conviction that legislative restrictions were not the cause of the high price of provisions. What inference can the noble Lord the Member for Lynn draw from the decrease of exports in 1846, adverse to our recent commercial policy? Would the noble Lord now desire that the corn law which existed before 1842 should have been scrupulously maintained? During the last year you have found it necessary to import not less than 5,000,000 quarters of corn, the produce of other countries. So little have you relied on your independence of foreign supplies, that during the last year, for the maintenance of the people of Ireland, as well as for the people of this part of the empire, you have imported not less than 5,000,000 quarters of corn. Notwithstanding this enormous import, the average price of wheat is at this moment not less than 71*s*. a quarter. And now, under so special and extraordinary a misfortune as the failure of that root on which 4,000,000 of the people of Ireland depended for food—how could Ireland have found subsistence if we had still excluded Indian corn, or had levied high duties on that and other kinds of food? So different, indeed, are the conclusions to be drawn with regard to Ireland from the premises on which the noble Lord relies, that I would cite the single case of Ireland as a sufficient justification for the remission of duties on the import of food.

Sir, I will now address myself to the question actually before the House. I admit that it would be taking a narrow view, to argue it on what are generally understood to be the rigid principles of political economy. The Italian writers on political economy — and they are among the most distinguished writers on that science — charge the English economists with taking too restricted a view of the objects which it should embrace. They say that the English writers discuss only the means of acquiring and distributing wealth; whereas they regard political economy as a complex and comprehensive science which concerns, not only the wealth, but the morality and social welfare of the people. I will not say whether this charge of the Italian writers is well founded or not. I believe our political economists purposely and avowedly confine themselves to a single branch of a most extensive and diversified system of social policy, not claiming for that single branch exclusive or pre-eminent consideration. I am quite ready, however, to discuss this question on the extended ground assumed by the Italian writers. I will not confine my attention to the mere amount of material advantage to be derived from increased labour, or the mere pecuniary gain resulting from unfettered manufactures and extended commerce. I will take a far wider ground, and will give my vote against this Bill, from the sincere conviction that it is not for the benefit of the working classes—that it would not tend to the advancement of their intellectual culture, or of their social improvement, to impose a new restriction on the hours of labour.

In the first place, let me consider this restriction as it affects the general interests of the country. There cannot be a doubt, that up to the present time, the prosperity of the great branches of manufactures has been maintained. But, notwithstanding this prosperity, you are levying 6,000,000*l*. of money annually, under the name of poor rates, which sum is applied to the maintenance of the poor. I am not speaking of the extraordinary demand made upon you under extraordinary circumstances — I am not referring to the 8,000,000*l*. you are about to expend in the present year for the relief of Ireland. I speak of the ordinary levy of 6,000,000*l*.

annually for the maintenance of those who cannot maintain themselves by labour. That is a most important consideration in determining the policy of further restrictions on the hours of labour. But what are your securities for the maintenance of manufacturing prosperity? There are three securities. You have capital, machinery, labour. I do not know why we should presume that we possess greater intellectual powers, or greater capacity for exertion than any other nation. Peace and the love of gain will sharpen their intellect and encourage their industry as well as ours. Look at the Germans who settle amongst us and carry on extensive trade —are they an inferior race? Will not the French also, and the Italians, be found to vie with us in all respects? Will not they be as desirous as we are to improve their skill, and to advance their interests. I wish not to detract from our native vigour of character, when I say that I think we are apt to rely too much upon our superiority. The three main securities for the maintenance of our manufacturing prosperity are, I repeat, capital, machinery, and labour. We may, I trust, safely calculate on the continuance of peace. But, peace continuing, what dependence can there be that the employment of English capital in foreign countries may not increase—that foreign countries may not see the policy of giving encouragement to such employment of it? Then, with regard to machinery, look at the increase of the quantity exported last year: there, at least, there was no decrease in our exports. [Lord G. BENTINCK: You permitted the export of machinery.] We did: and do you suppose that we authorized the exportation of machinery without some sufficient motive? There was no alternative left. There are some cases which laws cannot reach—some things which laws cannot prevent. You had a Committee on the Export of Machinery; they examined those who were best acquainted with the subject. And what was the result? Why, that your prohibition amounted only to this—that it caused the loss of a trade which you otherwise might have. Officers of the Customs showed you that you could not prohibit the exportation of separate parts of machinery, or of the designs for it made by the most eminent of our engineers; that you could not prevent the expatriation of our artisans; and the conclusion to which the Committee came was, that the prohibition must be repealed, not for the benefit of other countries, but because it would enable us to retain at home the manufacture of the machinery to be exported. The question was, not whether foreign countries should or should not have access to improved machinery; but whether Sheffield, and Birmingham, and other great towns, should retain the manufacture, or whether British skill and British labour should be transferred to other countries, and there employed in the manufacture of machinery for foreign use. I am sure the right hon. Gentleman will remember the painful position in which the Privy Council were constantly placed, in having to determine whether they ought to grant or withhold permission to export machinery. ["Hear!"] Capital and machinery then were free as the winds. There remains labour; and I advise you to direct your serious consideration to this point before you restrict it. I appeal to the noble Lord the Member for Lynn, who expected so much from the establishment of railways in Ireland—I appeal to him whether the more you extend the railway system, you do not lessen the impediments to locomotion, and increase the facilities, in time of peace, for skilled labourers to remove abroad, and there get higher wages for their labour? And observe, that not only are the physical impediments to travelling removed, but those prejudices against it which exist to a great extent in the English character. Working men read the accounts of the wages given in foreign countries; they learn also that they will be well received and heartily welcomed; they find that they can reach Rouen and other manufacturing towns in France or Belgium, in fourteen or fifteen hours: partly from curiosity, partly from the hope of gain, assured that they will be well treated, they are influenced by new motives, which did not operate when travelling was expensive, and when an impression prevailed that English workmen would be ill paid, and insulted, and treated as alien enemies in a foreign land. If this account be correct, look at our present position. You have no exclusive command over your own capital, over your own machinery, or over your own labour: in this state of things, you propose to place new legislative restrictions nominally upon the labour of women and children, but practically upon the labour of adult males. You say to the man, who, being in the possession of health, desires to labour—who, foreseeing the day when he will be incapacitated from labour by age or infirmity, wishes to provide some resource for the future—you say to this man, "You shan't work more than five days a week." You cut off, by law, two hours from that which constitutes his present working day. With the tendency there is, and must be, to equalise throughout Europe the advantages of capital, machinery, and labour, you inform the adult male operative, "It is not for your good that you should labour more than five days a week in your native country." Sir, I fear the consequences of such legislation. It may be said, that these are but prospective dangers, and that your linen, your silk, and your woollen manufactures have taken such root in the soil, that you cannot be dispossessed of your superiority. But other countries, in other times, have had the same superiority, have felt the same confidence in its continuance, and have had a bitter reverse of fortune, which may not, I hope, be in reserve for you.

But still there are higher considerations than those of wealth and commerce; and if you could convince me that the present measure would tend to the moral and intellectual improvement, to the general the social welfare, of the labouring classes, I should be tempted to make the experiment; for I feel, that in improving the condition and elevating the character of those classes, we are advancing the first and highest interests. I feel that society is not safe unless we can do that. We are giving those classes intellectual improvement; but unless the general character of our legislation is to increase their comfort and improve their moral habits, their mere intellectual improvement will become a source of danger and not of strength. By every means, then—by the improvement of the sanitary condition of our towns—by substituting innocent recreation for vicious and sensual indulgence—we should do all in our power to increase the enjoyments and improve the character of the working classes. I firmly believe that the hopes of the future peace, happiness, and prosperity of this country, are closely interwoven with the improvement, religious as well as moral, of those classes. But, consistently with this persuasion, I oppose these restrictions on labour. Sir, the hon. Member for Salford (Mr. Brotherton), in a speech which did him much honour, was influenced by feelings in which I personally ought to, and do, participate. He says, the only question is, whether it is fit that women and children should work twelve hours a day. But is that the only question? If it be, then I am of opinion with him, that ten hours a day is enough for women and children to labour. Nay, I go farther than the hon. Member. If I am asked, whether I do not think eight hours a day sufficient labour for a girl of fourteen years of age, or for a mother with three or four children to attend to—if that is the question upon which the debate turns—then I am for eight hours, and not ten. But why do you hesitate about an Eight Hours Bill? Is it not because you strike a balance between the admitted advantages of additional leisure, and the evil that would arise from a reduction of wages? On what principle, except upon the principle to which I refer, do you give the preference to ten hours of labour over eight for a child or a mother? Sir, I do not deny the advantage of leisure; but I greatly doubt whether there be any better means of improving the condition of the labourer, and of elevating the character of the working classes, than to give them an increased command over the necessaries of life. You say that by this Bill you will not diminish wages. But will it not be a most marvellous event in legislation, if you provide by law that five days in the week shall be the maximum of labour in this country, and yet can induce the master to pay the same amount of wages? Notwithstanding the active competition of manufactures in America, France, Italy, and Germany, you expect that the masters in this country are to go on paying five days' work with six days' pay. But we are told that the mode of doing this will be by working the machinery so as to get twelve hours' work done in ten hours. I doubt whether you can do that; and I doubt, also, whether, if you can, you will thereby confer any advantage upon the workpeople. I doubt whether it is not for the advantage of adult women and children that they should continue working for twelve hours, rather than finish the same quantity of work in ten hours by a greater strain upon their bodily and mental faculties. The hon. Member for Leeds (Mr. Beckett), a friend of the Bill, is forced to admit, that if we go the length of a Ten Hours Bill, we may run the risk of depriving the working classes of the liberal assistance now given by some of the masters in providing schoolmasters and medical assistance for their workpeople.

I come now to the question of wages. How easy it is to speak of a reduction in wages! I wish we would call it income. Let us call the wages of the working man his income; and let us call a reduction of wages an income tax. You are about to impose an income tax upon the operatives, and not upon those only who are employed in factories. A manufacturer told me he employed 1,500 adults in labour connected with his manufactory, but not performed within its walls. This gentleman also declared that he should be compelled to call his workmen together when this Bill came into operation, and tell them, "I am forced by law to decrease your hours of labour one-sixth, and I must in my own defence curtail your wages one-sixth." The wages—the annual income of these operatives—amount probably to 50*l.* or 60*l.* each on the average. The income will be reduced one-sixth—that is to say, the operatives will be subject to an income tax, not such as we pay of 3 per cent, but of 16 per cent. It has been said by a high authority—and the remark is pregnant with truth—that in prosperous times the workman shares with his employer in the general prosperity, but that he does not benefit half so much by prosperity as he suffers from adversity. The owner of capital can bear up against temporary depression; for he can draw upon the gains accumulated in the time of prosperity. It is not so with him whose whole capital is labour. And it is to him, already labouring under disadvantage in this respect, that you are about to say, "You shall not lay by a surplus from your wages, in the vigour of life and while in the enjoyment of health, to meet the evil day by which you may before long be overtaken." You cannot over-estimate the importance to these men of a small saving—of the possession of some such sum as ten or twelve pounds. It may be to them the foundation of future independence. It may enable the father of a family—imitating the honourable example of the Member for Salford (Mr. Brotherton)—to gather that family around him and say, "From these small gains I will lay the foundation of a fortune, such as hundreds in Lancashire have acquired by their own industry and integrity." Why, I myself, could name at least ten individuals in Lancashire who, when I was a boy, were earning only 25*s.* or 30*s.* a week, and each of whom is now worth, it may be, from 50,000*l.* to 100,000*l.* But who is to answer for the result, if you paralyse the efforts of such men by your legislation—if you fetter their industry, and restrict their hours of labour, and by preventing them from profiting by the time of prosperity, drive them, when the hour of adversity shall come, to the poor law for a maintenance? Will not the labouring man go to a country in which no such restrictions do prevail? Will he not soon ask the price of a third-class fare to Dover, and transfer his skill and the vigour of his English character to some place where he could use them without restraint? The amount of weekly earnings is the great point on which the happiness and independence of a working man's family turns. I have here a book containing statements which have struck me forcibly, and which give an account of the appropriation of the wages of two families. In the first family the number of persons is nine, and the wages are 18*s.*; in the second the number is seven, and the wages are 9*s.* This is the way in which the weekly income is appropriated: In the first family the income of 18*s.* per week is laid out as follows:—Bread, 10*s.* 6*d.*; house-rent, 1*s.*; washing, 1*s.*; and fire, 1*s.*; making 13*s.* 6*d.*; this leaves for clothing, tea, sugar, and meat, 4*s.* 6*d.* extra. In the family of seven persons, having 9*s.* per week, the payments are, for bread, 5*s.* 6*d.*; rent, 1*s.*; fire, 1*s.*; washing, 9*d.*, making 8*s.* 3*d.*; there is left for clothing, for tea, sugar, and meat, not 4*s.* 6*d.* but 9*d.* only. Thus every shilling cut off from the income of such a family is attended with great diminution in their comforts. Intelligent men are asked in the volume before me how it is possible for a labouring man to maintain a family of four or five children upon 10*s.* a week? The question is put to clergymen and to persons engaged in agriculture, and here are the answers. Mr. Huxtable, a great agriculturist, being asked how a labouring man maintains a wife and four or five children upon 10*s.* a week, says that is a problem he cannot solve by any calculation, and that all attempts to solve it, so far as he has seen, are entire failures. The next person who is asked, says he cannot answer the question; that he was altogether at a loss to conceive how it was done, and that he was never satisfied with the explanation he received from labourers' wives upon this point. Let us reflect, then, what may be the consequence of reducing still further the wages of labour. [*Interruption.*] I beg pardon of the House for not having fulfilled my promise; but I have been led on far beyond my intentions by the importance of the subject. Sir, I will now conclude by repeating, that if I oppose this Bill, it is not because I do not sympathize with the attempt to improve and to elevate the working classes in the scale of society, but because I believe that an unwise interference with labour will undermine the great sources of our national wealth, and will also restrict and fetter the comfort and enjoyment and independence of the working classes. It is on these grounds that, acknowledging, as I fully do, the special claims which those classes have upon my sympathy and support, I must give a vote in opposition to their wishes, but in favour of their real and permanent welfare.

The House divided:—Ayes 190; Noes 100: Majority 90.

List of the AYES.

Ackers, J.
Acland, Sir T. D.
Acland, T. D.
Acton, Col.
Ainsworth, P.
Aldam, W.
Antrobus, E.
Arundel and Surrey, Earl of
Baillie, H. J.
Baillie, W.
Bankes, G.
Bannerman, A.
Barnard, E. G.
Baskerville, T. B. M.
Beckett, W.
Benbow, J.
Bennet, P.
Bentinck, Lord G.
Beresford, Major
Bernal, R.
Blackstone, W. S.
Blake, M. J.
Borthwick, P.
Brisco, M.
Broadly, H.
Broadwood, H.
Brooke, Lord
Bruen, Col.
Buller, C.
Buller, E.
Bunbury, W. M.
Burrell, Sir C. M.
Butler, P. S.
Byng, rt. hon. G. S.
Cabbell, B. B.
Castlereagh, Visct.
Chelsea, Visct.
Chichester, Lord J. L.
Cholmeley, Sir M.
Christie, W. D.
Churchill, Lord A. S.
Clayton, R. R.
Collett, J.
Cowper, hon. W. F.
Curteis, H. B.
Davies, D. A. S.
D'Eyncourt, rt. hn. C. T.
Dickinson, F. H.
Douglas, J. D. S.
Duff, J.
Duncombe, T.
Duncombe, hon. A.
Dundas, Adm.
Dundas, Sir D.
Du Pre, C. G.
Ebrington, Visct.
Egerton, Sir P.
Ellis, W.
Entwisle, W.
Etwall, R.
Ewart, W.
Fellowes, E.
Ferrand, W. B.
Finch, G.
Fitzroy, Lord C.
Fleetwood, Sir P. H.
Fox, C. R.
Fuller, A. E.
Gardner, J. D.
Gaskell, J. M.
Gladstone, Capt.
Godson, R.
Gore, hon. R.
Granby, Marq. of
Grey, rt. hon. Sir G.
Grogan, E.
Grosvenor, Lord R.
Halford, Sir H.
Hall, Sir B.
Hall, Col.
Halsey, T. P.
Hamilton, G. A.
Harcourt, G. G.
Harris, hon. Capt.
Hatton, Capt. V.
Heathcoat, J.
Henley, J. W.
Hervey, Lord A.
Hildyard, T. B. T.
Hindley, C.
Hodgson, F.
Hodgson, R.
Hollond, R.
Hope, A.
Hornby, J.
Hotham, Lord
Howard, hon. C. W. G.
Howard, P. H.
Hudson, G.
Hurst, R. H.
Hussey, T.
Inglis, Sir R. H.
Jervis, Sir J.
Johnson, Gen.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Kemble, H.
Lambton, H.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Lennox, Lord G. H. G.
Liddell, hon. H. T.
M'Carthy, A.
Macaulay, rt. hon. T. B.
M'Donnell, J. M.
Mangles, R. D.
Manners, Lord J.
March, Earl of
Masterman, J.
Miles, W.
Milnes, R. M.
Monaghan, J. H.
Morpeth, Visc.
Morris, D.
Mundy, E. M.
Muntz, G. F.
Napier, Sir C.
Newdegate, C. N.
Newry, Visct.
Norreys, Lord
O'Brien, A. S.
O'Brien, C.
O'Brien, W. S.
O'Connell, Dan. jun.
O'Connell, M. J.
O'Connell, J.
O'Connor Don
Packe, C. W.
Paget, Col.
Pakington, Sir J.
Palmer, R.
Palmer, G.
Palmerston, Visct.
Plumridge, Capt.
Polhill, F.
Prime, R.
Pusey, P.
Rashleigh, W.
Rendlesham, Lord
Repton, G. W. J.
Rice, E. R.
Rich, H.
Richards, R.
Russell, Lord J.
Russell, J. D. W.
Rutherfurd, A.
Ryder, hon. G. D.
Sandon, Visct.
Scrope, G. P.
Shaw, rt. hon. F.
Sheil, rt. hon. R. L.
Shirley, E. J.
Shirley, E. P.
Sibthorp, Col.
Smith, A.
Smith, rt. hon. R. V.
Somerville, Sir W. M.
Spooner, R.
Stanley, E.
Stanley, hon. W. O.
Stanton, W. H.
Stuart, Lord J.
Stuart, J.
Strickland, Sir G.
Taylor, E.
Tollemache, J.
Tower, C.
Towneley, J.
Trevor, hon. G. R.
Trotter, J.
Troubridge, Sir E. T.
Tyrell, Sir J. T.
Vyse, R. H. R. H.
Vyvyan Sir R. R.
Wakley, T.
Walker, R.
Wawn, J. T.
Williams, W.
Yorke, H. R.

TELLERS.

Fielden, J.
Brotherton, J.

List of the NOES.

Anson, hon. Col.
Baine, W.
Barkly, H.
Baring, rt. hon. F. T.
Baring, rt. hon. W. B.
Bell, M.
Berkeley, hon. H. F.
Bouverie, hon. E. P.
Bowes, J.
Bowring, Dr.
Brown, W.
Brownrigg, J. S.
Cardwell, E.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Colebrooke, Sir T. E.
Corry, rt. hon. H.
Craig, W. G.
Cripps, W.
Currie, R.
Dalmeny, Lord
Denison, J. E.
Dennistoun, J.
Douglas, Sir C. E.
Duncan, Visct.
Duncan, G.
Duncannon, Visct.
Dundas, F.
Egerton, W. T.
Escott, T. G. B.
Evans, W.
Fitzroy, hon. H.
Flower, Sir J.
Forster, M.
Gibson, rt. hon. T. M.
Gill, T.
Gisborne, T.
Graham, rt. hon. Sir J.
Greene, T.
Hamilton, W. J.
Hanmer, Sir J.
Hawes, B.
Hay, Sir A. L.
Hayter, W. G.
Houldsworth, T.
Hutt, W.
James, W.
James, Sir W. C.

Jones, Capt.
Kirk, P.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Leader, J. T.
Lemon, Sir C.
Lincoln, Earl of
Lindsay, Col.
Loch, J.
Lockhart, W.
M'Neill, D.
Marshall, W.
Marsland, H.
Martin, J.
Matheson, J.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Norreys, Sir D. J.
Northland, Visc.
Ord, W.
Oswald, A.
Parker, J.
Patten, J. W.
Pattison, J.
Peel, rt. hon. Sir R.
Peel, J.
Philips, M.
Protheroe, E. D.
Reid, Sir J. R.
Ricardo, J. L.
Romilly, J.
Ross, D. R.
Russell, Lord E.
Scott, R.
Smyth, hon. G.
Somerset, Lord G.
Stansfield, W. R. C.
Stuart, W. V.
Stuart, H.
Strutt, rt. hon. E.
Tancred, H. W.
Thornely, T.
Trelawny, J. S.
Villiers, hon. C.
Villiers, Visct.
Wall, C. B.
Warburton, H.
Ward, H. G.
Wellesley, Lord C.
Wood, Col. T.

TELLERS.
Escott, B.
Bright, J.

House adjourned a few minutes after Six o'clock.

HOUSE OF LORDS,

Thursday, March 4, 1847.

MINUTES.] PETITIONS PRESENTED. From the Parish of Saint Leonard's, Colchester, and other places, for Alteration of the Poor Laws Amendment Act, as far as regards the Law of Settlement and the present System of Poor Rates.—By Lord Eglintoun, from Shipowners and others of Fraserburgh, Aberdeenshire, for the Adoption of Measures for the Abolition of the present System of Lighthouse Dues as injurious to Commerce.

CASE OF JOHN OCKHAM.

LORD BROUGHAM said, he had to move for a return of the examination and committal of John Ockham, a child of five years and a few months old, who had been committed to Tothill Fields Gaol, on the 19th of February last, upon a charge of felony. He had his information from a friend of his who knew the circumstances intimately, a visiting magistrate; and he would not deny that he did it with the view of taking further proceedings against the magistrate concerned, and removing him from his place.

LORD CAMPBELL said, his only doubt was, whether such proceedings should originate in that House or in a court of criminal jurisdiction, because the act which his noble and learned Friend mentioned was monstrous. Any one who would be guilty of such an enormity must be wholly unworthy to be entrusted with magisterial duties.

LORD BROUGHAM was aware that that House, being a court of review, stood in a delicate position as regarded this case. They had communicated on the matter with the right hon. Gentleman the Secretary for the Home Department, and with his noble and learned Friend on the Woolsack.

Ordered to be laid before the House.

TRADE AND NAVIGATION.

The EARL of ELLENBOROUGH observed, that some time ago the usual annual returns respecting Trade and Navigation had been laid before their Lordships, which had no doubt attracted the general attention of their Lordships, as they had his own. He confessed he had looked through them with any feeling but that of satisfaction. What he wished to propose —as he believed there would be no objection at all on the part of the noble Marquess opposite, or of his noble Friend at the head of the Board of Trade—was, that they should have additional returns made out from the first and last six months of 1845 and 1846, in order that they might have the means of comparing the two periods of the two years. That would enable their Lordships to see more clearly than they could from the annual accounts, whether we were in a progressive state, whether we remained stationary, or had unfortunately begun to retrograde in our navigation and commerce. It would be very satisfactory if it should appear that the falling-off had been in the earlier period of the last year, and the improvement in the latter. That would afford us more hope of doing well in the course of the coming year than they could derive from the accounts as they now stood. As the justification for proposing any change in the form of the accounts, he would request permission to state to their Lordships two or three items which appeared on their face. There appeared to be a considerable falling-off in the exports of British manufactures for the past year; in cotton manufactures, to the extent of 1,429,000*l.*; in woollens, to the extent of 1,358,000; in linens, to the extent of 197,000*l.*; in woollen yarn, to the extent of 159,000*l.*; in linen yarns, to the extent of 185,000*l.*; amounting altogether to 3,329,000*l.* The great falling-off unfortunately was in the great branches of manufactures; on the other hand, the increase in the exports of cotton yarn had been very considerable; but that was an article not so highly manufactured, and, therefore, not requiring the application of so much skill and labour as some others, and tending, likewise, to encourage the manufactures of other countries. On this head there was an increase to the extent of 910,000*l.*; and there was an increase in the exports of silk manufactures to the amount of 71,000*l.* Deducting these two items from the sum before mentioned, it appeared that the total falling-off in cottons, linens, and woollens, was not less than 2,348,000*l.* But, unfortunately, we had not from these accounts, as they now stood, any very satisfactory view of what was likely to take place in the following year, because he found that the import of the raw materials of our manufactures had very materially decreased. The diminution in the import of cotton wool was enormous, and amounted to almost 30 per cent on the total import of 1845, being not less than 2,269,000 cwts. The diminution in the import of sheep's wool was more than 11,500,000 lbs.; that in the import of flax was 271,000 cwts. There was a diminution also in the articles necessary to complete our manufactures, as dyes and dye stuffs; it was true, there was a small increase on cochineal, logwood, and madder; but there was a falling-off on indigo and other dyes amounting to two-ninths of the whole amount of the imports. In barks, there was a falling-off of 97,000 cwts.; in barilla and alkalies, there was a falling-off of 1,901 cwts.; in undressed hemp, of 51,000 cwts.; there was also a falling-off in the import of untanned hides to the amount of 201,000; whilst there was a small increase in cocoa-nut oil, but a falling-off in the other kinds of oils. Therefore, not only had the export of manfactured articles decreased, but the import of the raw materials and every thing necessary to complete the manufacture. There would be some consolation if we were informed of very considerable imports from the view given of the navigation of the United Kingdom; but it appeared only to have continued stationary. The impression it left was not very satisfactory; there was a small increase in the amount of tonnage entered inwards, and a small decrease in the amount of tonnage entered outwards; but the one counterbalanced the other, and, on the whole, our navigation was in a stationary condition. He did not wish at present to draw any inferences from these facts; though concurrently with them, it was not very satisfactory to see a very large increase in the export of machinery, as well as in the exports of metals, which was intended undoubtedly to assist the construction of railroads, and the manufactures of other States. He would confine himself to the great branches of our manufactures; there was not one of them —with the single exception of silks, which appeared to be, if not progressive, certainly not going back — neither linens, woollens, nor cottons, on which there was not a material decrease. Under these circumstances, it was not unreasonable to ask their Lordships to call for a return which might show what the imports and exports of those articles might have been in the first and last six months of 1845 and 1846, so that it might be seen whether they had been in a progressive state in the last six months, or whether our trade during that time was declining. He begged to move that the accounts relating to Trade and Navigation in the year 1846 be rendered for the first and last six months of 1845 and 1846. If his noble Friend should desire it, there could not be the least objection, but would probably be an advantage in requiring a similar return for the year 1844, the first and last six months.

The EARL of CLARENDON thought there could be no objection whatever to providing the returns asked for by his noble Friend opposite. So far from there being any objection, there would be an advantage in furnishing the returns in the shape he suggested, because there was not the least doubt that it would enable them to institute a more minute comparison between the different years, than the form in which, as usual, these returns had this year been presented. Indeed, he thought, it would not only enable us to institute those comparisons, but he thought that anything which could tend to throw greater light on those important subjects, and enable us more correctly to understand both our present position and future prospects, as well as the results and tendencies of our recent legislation, could be only beneficial to the public in general, as well as to those interests more immediately concerned. Perhaps, as his noble Friend had said, this was not the time for entering into any discussion with respect to those returns to which he had drawn their Lordships' attention; but still he did hope that when the time for discussing the matter should arrive, their Lordships would agree with him that we were upon the whole in a progressive, and a satisfactorily progressive state. Fluctuations and vicissitudes would always happen in every branch of trade, and more particularly in periods like last year, when disturbing causes had arisen that could not have been foreseen, and against which no human foresight could have guarded. He would take that article to which his noble Friend had more particularly alluded—that of cotton. His noble Friend was aware of the great failure that had taken place in the cotton crop of America, and the great rise in price which had necessarily ensued, that rise having been largely increased by the extravagant rates of freight occasioned by other causes. This circumstance had, of course, most injuriously affected our cotton manufactures. Our woollen manufactures were also affected, and this at a moment when distress generally prevailed throughout England, and of course disabled our accustomed consumers from purchasing as much as usual from us. With respect to sheep's wool, also, to which his noble Friend alluded, he believed that one cause in the falling-off in that article, was the necessarily large quantities of wool accumulated in this country, awaiting a reduction of duty; and there consequently was, in the course of 1845, a much larger quantity of wool entered. As to barilla, his noble Friend must be aware that it was now nearly superseded, and the use of barilla gradually diminishing, because the article had been replaced by soda. Without following his noble Friend through the other articles to which he alluded, he believed that with respect to the greater part of them, reasons, more or less satisfactory, could be assigned for those fluctuations in the amount of imports to which he had alluded. Taking all these disturbing causes together, looking also at the total amount of exports and imports, the manner in which the revenue was sustained up to the present moment, he really thought we might look with satisfaction to our present condition, and with confidence to our future prospects.

Lord ASHBURTON was apprehensive that no good reason could be pointed out for the immense falling-off in the exportation of our manufactures, especially woollens. He had heard that Belgian cloths already came into this country in considerable quantities; and he wished to ask if his noble Friend could inform them whether foreign manufactures were not now largely imported for our consumption. The papers before their Lordships, spoke of diminished exports of British manufactures to foreign countries; but if it should be also true that our own consumption was interfered with by the introduction of foreign manufactures to the extent asserted, he could not help thinking that was a very serious test of those favourite principles of free trade upon which they had, in his opinion, so unfortunately legislated.

The Earl of CLARENDON was not exactly able to give his noble Friend the information he asked for. He had heard in the course of last summer that a certain amount of Belgian cloth was imported; but he had not heard any more of the subject since, and he had heard no complaint from any of the woollen manufacturers. He would, however, make inquiry on the subject.

Motion agreed to.

LABOURING POOR (IRELAND) BILL.

The Marquess of CLANRICARDE moved that the House go into Committee on the Labouring Poor (Ireland) Bill. To meet an objection which had been stated on a previous evening, he intimated his intention to introduce words to the effect that regard should be had to voluntary agreements between landlord and tenant as far as possible.

Lord MONTEAGLE thought the language of the second clause, giving indemnity, required reconsideration, as the terms employed were very general. If an officer of a relief committee absconded with its funds, would not the clause of indemnity, as now expressed, shield him from the consequences?

The Marquess of CLANRICARDE stated that the Bill gave indemnity to parties who had acted under any presentment in regard to any proceedings for "giving effect to such presentment."

Lord BROUGHAM repeated the objections which he had formerly urged on a previous night to the wide nature of the second or indemnity clause of the Bill. He thought it ought to be reconsidered, for the loose words in which it now stood would cause very illegal proceedings under the Labour Act of last Session; whereas the object of the present Bill, as he understood it, was to indemnify the Irish Government, and those parties who had gone beyond that Act, in issuing and acting under Mr. Labouchere's letter.

The Marquess of LANSDOWNE could not agree with the noble and learned Lord that the words of the Act were loose, though large they certainly were. It was intended that they should be so, for it so happened last year that many relief committees, acting with the very best intentions, had still fallen into error, and had overstepped the limits of the law, probably in anticipation of some such measure as the present. The Bill before their Lordships was intended, therefore, not merely to extend indemnity to proceedings under Mr. Labouchere's letter, but to the proceedings of several relief committees.

Lord BROUGHAM was satisfied with the explanation of the noble Marquess, which had got rid of the greater part of his objection, but suggested that it would be advisable to give a power of indemnity to the Lord Lieutenant, or to some other person, to be exercised at his discretion in such cases.

The **Earl of DEVON** said, he wished that the noble and learned Lord had a large estate in Ireland himself, and then he would see what a necessity there was in cases such as had recently arisen of acting in anticipation of the law. He was himself liable for going beyond the Act, if he were not shielded by an indemnity. In many cases the distress was so great that people, particularly those who had large estates, and many persons dependent on them, were obliged to go before the law. That had happened in his own parish last autumn. 400 or 500 people were without work; the priest came to him, and stated that if there were not employment provided for them, a disturbance would, in all probability, arise in forty-eight hours. The officer in charge boldly said to him (the Earl of Devon) "We have no authority to act, but I will set the people to work with your concurrence, if you undertake to pay them." He did so, and most probably saved the parish from an outbreak, and, for doing so, he required to be indemnified by the Act.

Lord BROUGHAM remarked that the clause would certainly indemnify every proceeding under the Act. As to his having a large estate in Ireland, as the noble Lord had kindly wished him, he (Lord Brougham) could only say he would rather—if it were the same to the noble Lord—have a small estate in England.

House in Committee, and went through the Bill with Amendments.

House adjourned.

HOUSE OF COMMONS,

Thursday, March 4, 1847.

Minutes.] Public Bills.—1° Loan.

Reported. — Consolidated Fund 8,000,000*l.*

Petitions Presented. By Mr. Spooner, from several places, for the better Observance of the Lord's Day.—By Colonel Lindsey, from Wigan, against the Roman Catholic Relief Bill.—By Mr. Christie, from Westminster, for Inquiry respecting the Rajah of Sattara.—By Mr. Dennistoun, from Glasgow, and Mr. Forster, from Plymouth and Cardigan, for the Reduction of Lighthouse Dues.—By Mr. Ferrand, from Eccelhill and Horton, for Repeal of the Anatomy Act.—By Mr. Ferrand, from Richard Gathorne Butt, for Protection.—By Mr. Ewart, from Great Bolton, in Favour of the Ten Hours Factories Bill.—By Sir A. L. Hay, from Proprietors of Mills, against the Factories Bill.—By Mr. G. Hamilton, from Meath, against the Poor Relief (Ireland) Bill.—By Sir E. Filmer, from Sutton Valence (Kent), and Mr. Sheppard, from Frome Selwood, for Repeal or Alteration of the Poor Removal Act.—By Mr. G. Hamilton and other Hon. Members, from several Railway Companies, against the Railways Bill.—By Mr. Smith O'Brien, from Guardians of the Poor of the Tullamore Union, for the Formation of Depôts for Seed Corn (Ireland).—By General Lygon, from Guardians of the Poor of the Kidderminster Union, and Lord E. Russell, from Tavistock, for Alteration of the Law of Settlement.

STATE OF IRELAND.

Mr. GEORGE A. HAMILTON said, he had a very important petition to present. It was a petition from the Bishop and Clergy of the diocese of Meath, in synod assembled. They stated that by constant residence in a district extending from the sea to the Shannon, and comprising two and a half counties, they were intimately acquainted with the condition of the country, being connected by interest with property, and with poverty by their duties and profession, and were therefore in a position to judge impartially between them. They denied that neglect of their duty was general among the resident gentry, and that such an assumption could safely be made the basis of legislation. They further denied that it was possible for the landlords of the past or present generation to have rendered the people of Ireland independent of such a calamity as the failure of the potato crop, by any means that would have been sanctioned by public opinion or the feelings of humanity; and they deprecated such statements as suggesting a clearance of estates as the first duty of property and the condition of its security. They recommended, as permanent measures, that a right of relief should be given to the aged, the infirm, and disabled; and that this relief should not necessarily involve the rending asunder the ties of nature. They prayed that for the relief of the able-bodied, a demand for labour should be created, by developing the resources of the country. They earnestly recommended that no out-door relief should permanently be given to the able-bodied, but that the workhouse test (left available by the out-door relief to the infirm) should be retained as the test of real destitution. They further prayed that food might be given to those who were now perishing, without exacting useless labour; and that a power of ordering such relief, in time of famine, should be vested in the Lord Lieutenant; and that farmers and landlords might be encouraged by loans to cultivate with the spade land which would otherwise remain untilled. All this they commended to the consideration of the House, expressing their earnest hope that, in adherence to truth and equity, in the sympathy of England, and in the goodness of God, Ireland might yet be preserved.

RAILWAY COMMITTEES—SELECTION OF MEMBERS.

MR. ELLICE called the attention of the House to a question connected with the selection of Members to serve on Railway Committees. He had been named as one of the Members of a Committee, to which some of the Bills promoted by the Great Western Company were referred. But after the Committee was struck, and the list of names had appeared in the papers of the House, he was apprised by his hon. Friend (Sir W. Heathcote) that he was relieved from his attendance on the Committee. No reason was stated; and he only heard afterwards in the House that he had been removed from the list of the Committee in consequence of representations from the parties to the Bill. He thought this conveyed some kind of imputation on that character for impartiality which the Committees possessed; and he wished to ask whether, after a Committee had been nominated, it was regular to remove Members from it on the representation of parties applying for Railway Acts?

SIR W. HEATHCOTE said, that he would, in answer to the question of his right hon. Friend, briefly state the course which the Committee of Selection had adopted in the matter. The Committee of Selection, in appointing the Members to take the group of railways over which his right hon. Friend had been appointed chairman (the London and Windsor lines), had taken care to select them from the west and north-west of England. This had been done to avoid the possibility of any partiality being imputed, and the Committee had upon this principle been selected. When it had been selected, the parties had sent in objections to the constitution of the Committee, founded, not on the personal interest of the Members themselves, but of their family connexions. These objections, however, had been so futile, that they had no effect but to excite a distrust of the parties who had put them forward; but the parties interested in that group of railways, and interested on both sides, had subsequently offered to demonstrate to the Committee of Selection the unfitness of the selected Members on another ground. They had been permitted to assign their grounds for saying so; and from published documents they had proved that several Members of the Committee represented towns and cities through or near which extensive lines of railway ran; that the companies connected with those lines were greatly interested in the question of the two gauges; and that thus indirectly the Members of the Committee were interested in the question of the gauges, inasmuch as that question would have to be decided by that Committee. Under these circumstances, the Committee of Selection had thought it to be their duty to discharge the Committees originally selected, and to reconstruct them, to avoid the charge of partiality, which otherwise might have been brought against their decisions.

MR. ELLICE was not satisfied with the explanation given by his hon. Friend, as he thought, after Members had been selected on a Committee, and had made the declaration required, they should not be discharged without some good reason. He was glad that his hon. Friend had no other objection to allege than that his constituents were supposed to be in favour of the narrow gauge, in consequence of the railway passing through Coventry. It gave him the occasion of again pressing upon the consideration of the House the absolute folly of going on with the present system. In order to show that he was perfectly disinterested on the subject, he would refer to a statement he had already made, hoping that some Member of Her Majesty's Government would propose a resolution by which all competition between the two gauges should be referred to competent judges. The Committee had refused to entertain the consideration of the gauges, on the ground that they did not consider themselves competent judges. The parties interested did not themselves consider the Committees impartial on the question; and it was impossible to find any one Committee upon which there could not be found some Member who had not already formed some opinion on the question. 300,000*l.* had been spent in the discussion of the question before a Committee of that House last Session; and when such sums were expended, the losing party would be ready enough to accuse the Committee of not being so pure as they supposed themselves to be. He hoped that the House would find a remedy for such a system.

Lord G. SOMERSET suggested a suspension of the selection of the Committees for a short time, that the subject might be considered.

Viscount SANDON thought it was extremely unadvisable for a Committee to be appointed, and to examine into the merits of a subject before the report of the Railway Board was made. He begged to ask a question of the right hon. Gentleman the Member for Derby (Mr. Strutt), whether there had been included in the reference to the Commission the question of the power of railway companies to introduce into their Bills, under cover of station extensions or otherwise, clauses which should enable them to form steam-ship companies. A Bill had been before them that evening, containing a clause, apparently referring only to the extension of a station; but in reality, and on examination, empowering the company to act as a steam-packet company, and without any of the ordinary liabilities. An accident only had discovered this; and for the future it was to be hoped that all Railway Bills would be referred to, and endorsed by, the right hon. Gentleman. Security would then be felt that no objectionable proposal would receive assent. If the right hon. Gentleman did not take the matter in hand, he (Lord Sandon) should consider it his duty to bring forward some Standing Order in reference to this subject.

Mr. STRUTT could assure his noble Friend the Member for Liverpool, that the subject had attracted the attention of the Railway Commission; that he had looked over different Railway Bills; and that he was now aware of the existence of certain clauses which, if acceded to, would have given power to railway companies to become steam-boat companies. Under the terms of the reference suggested by his right hon. Friend the Member for Coventry (Mr. Ellice), such clauses would always come under the notice of the Commission; and it would be a most important matter for them to consider and reject the proposals in different Railway Bills for purposes alien to strictly railway purposes. Clauses of that kind alluded to should not be overlooked.

Mr. GISBORNE was convinced that the Committee of Selection had acted most improperly in discharging a Committee, on the ground of the constituencies of various Members being interested in the particular question upon which they would be required to deliberate. The Committees which had been referred to, were composed of most distinguished Members of that House, in every way competent to deal with the subject; and, though the question of the gauges was one unfit to be considered by any Committee, they were as well capable of any other of settling it. He, for his part, was always much more afraid of an incompetent than of an interested Committee.

Mr. ESTCOURT had never hesitated, as a Member of the Committee of Selection, to recommend to his brother Members to erase the name of an hon. Gentleman from the list of a Committee when it was found, even after he had been named, that there were certain reasons why imputations of partiality might be attached to him.

Subject dropped.

RIOT AT WICK.

Sir A. L. HAY wished to put a question to the learned Lord the Lord Advocate of Scotland. It had transpired through the medium of the public press, that a riot had taken place in the town of Wick, in the north of Scotland; and that in consequence of that riot the military had dispersed the populace by means of their bayonets, and had subsequently fired upon them, by which several people were seriously wounded. Now, he wished to know from the learned Lord, whether he had received official information of the facts, and whether the facts stated in the public press were or were not correct?

The LORD ADVOCATE, in answer to the question of the hon. Gentleman, was sorry to be obliged to state that, in consequence of a determined riot in the town of Wick, the military were under the necessity of firing, and that the result was, that a woman had been wounded slightly in the arm; and that another individual, a man, was wounded more severely in the hand. He might take occasion to state, that the conduct of the military had, during the present distress, been on all occasions truly exemplary, and that they had been distinguished by the greatest possible sympathy with the inhabitants, towards whom they had always exhibited the utmost moderation, patience, and humanity. With respect to the civil authorities, he thought it proper to state, that, in calling the military into this county, it was done before this occurrence took place, at the instance of the sheriff, who acted in accordance, not only with the provost of Wick, but with all the local magistrates and gentlemen, and every person, without exception, connected with the shipping of the town, who had represented to him that the shipment of corn could not take place without a strong military force. On the morning of the day on which the disturbance took place, a number of special constables were sworn in, to give the necessary protection in conveying corn to a ship that had come into the port; but the sheriff received information in the course of the evening that the vessel would certainly be attacked during the night by determined men; that the corn which had been shipped would be removed from the vessel; that the vessel itself would be scuttled and sunk in the harbour; and that, if any resistance were offered by the crew, they would be thrown overboard. In consequence of that information, the sheriff, with the full concurrence of the provost of Wick and all the magistrates he consulted, was under the necessity of placing a guard of soldiers for the protection of the vessel. But even the presence of these soldiers did not prevent the attempt being made. The people assembled in very great numbers, and obstructed all access to the quay. They assaulted one of the officers in command of the party, and many of the soldiers, and this rendered it necessary to send down the whole military force to the assistance and protection of their comrades. In the passage of the force through the town, they were most violently assaulted by the mob, and several prisoners were with great difficulty seized. While a detachment of the military were moving under a piece of high ground, or eminence, the mob, armed with large stones, assailed them from above. The report from the military officers stated, that the party were attacked with a tremendous volley of stones, by which many of them were struck and severely injured. It was in these circumstances that orders were given to fire; and a few shots were discharged, more, he believed, for the purpose of frightening the mob, than inflicting any injury, though, unfortunately, injury had, he was sorry to say, been received. Looking at all the reports he had officially received, he had no occasion to reflect on the conduct of the civil officers generally; in particular, he had no occasion to reflect upon that of the sheriff, who was a man not only of humanity, but of great firmness of character. There was only one thing to which he felt it necessary specially to advert, and it was this, he could not understand the conduct of the provost of Wick, who appeared to have presided at a public meeting, in which imputations that he must have known to be most unfounded were cast on the conduct of the sheriff of the county, with reference to proceedings in which the sheriff had acted, not only with the concurrence of the provost, but with that of the other magistrates of the burgh, on grounds that the provost must have known to be untrue.

RELIEF WORKS IN IRELAND.

Mr. E. DENISON wished to put a question to the Secretary for Ireland relating to the relief works now going on in that country. On the 19th of January, that right hon. Gentleman informed the House that the numbers employed on the relief works were 450,000. We were now at the 4th of March, and the time for putting the seed in the ground was fast passing away. He wished to ask what progress had been made in discharging this large army, and attaching them to the cultivation of the ground; what the numbers now employed on the public works were; and if the right hon. Gentleman had any objection to give to the House a return weekly of the numbers employed on those works?

Mr. LABOUCHERE had not the least objection to give the information required, viz., a weekly return of the persons employed on the public works. As to the number of men now employed on those works, he regretted to say that it had been found impossible to prevent a very great increase of that number since the time when he stated them at 450,000. The hon. Gentleman must recollect, however, that in point of fact the Bill that was to provide a substitute for these public works, had not yet come into operation, and therefore it was impossible to draw off the numbers of men which had been anticipated. As a proof that the distress of Ireland had been greatly increased since he made his former statement, according to the returns he held in his hand, the numbers employed on the relief works for the week ending the 20th of February, amounted to no less than 668,000.

Lord G. BENTINCK asked the right hon. Gentleman if he was in a position to be able to inform him how much of the 50,000*l.* to be given for seed had been granted for that purpose?

Mr. LABOUCHERE was not able to answer the question. All he could say was, that it had been referred to the Lord Lieutenant to carry into effect the intentions of the Government in the manner which he thought most advisable. He knew that the Lord Lieutenant had come to a resolution not to give the sum away in money, but by advancing seed, to be repaid a short time hence, to parties who applied for it. By the last letters he had received, he found that the applications had not been very numerous, but he was unable to state the exact number. He might state that the Lord Lieutenant had come to the resolution, in advancing seed, to give seed for green crops only, and not corn seed. He was satisfied that he should be doing more harm by giving corn seed, than would be compensated for by any partial advantage which would be gained, on account of the interference which it would create with the supply of grain in the market.

Mr. W. COLLETT asked if it was understood that these 668,000 men were to be employed on productive works only till the Bill to which the right hon. Gentleman referred came into operation?

Mr. LABOUCHERE thought the hon. Gentleman must have mistaken him. The men to whom he had referred were those employed on what were called relief works. Some of these works, no doubt, were not of a productive character, but some of them were useful; and not a few were employed on railways. All he would say was, that it was the intention, as soon as practicable, to draw off the men so far as was consistent with the public safety.

Lord G. BENTINCK asked if the right hon. Gentleman would object to give to the House a statement distinguishing the different occupations of the 668,000 persons employed on the relief works?

Mr. LABOUCHERE said, the monthly report of the Board of Works would be laid on the Table of the House, and the noble Lord would get the information he desired there; but in the weekly returns no such distinctions were made. There was, however, in the monthly return a distinction between those employed on the relief works, and those employed, for example, on the Shannon and other public works.

Lord G. BENTINCK had asked if there was any objection to a return distinguishing the different professions or occupations of those employed? He wished to know from the right hon. Gentleman if he had any objection, whether this return was in the monthly report or not, to give it to the House?

Mr. LABOUCHERE was afraid that if he were required to lay on the Table of the House the professions of those employed, it would take a very long time to make it out; but he would give the noble Lord the character of the works on which they were employed. He had no doubt such information could be given; and if it was not included in the monthly report, he would undertake that it was supplied to the House.

Lord G. BENTINCK wanted the original occupations of the parties employed. He would undertake to say that in one week such a return could be made—nothing could be more simple.

Mr. LABOUCHERE had every wish to give the fullest information to the House. If he had misunderstood the noble Lord, he was sorry. Did the noble Lord wish to know, for example, how many of them were simply labourers, and how many were farmers, and to distinguish those who were labourers and farmers from those who were mechanics? [Lord G. Bentinck: Yes.] Then he was afraid it would take a long time to make out such a return; but he would endeavour to meet the wishes of the noble Lord.

Major MACNAMARA wished to know whether the Secretary for Ireland had got any account of the papers moved for by his Colleague (Mr. C. O'Brien)?

Mr. LABOUCHERE said, the hon. Gentleman was, no doubt, anxious to get the information he desired; there were, however, 3,000 or 4,000 names, and it would take a long time to obtain such a return. He had a letter stating that the Board of Works was very anxious to give the information as soon as possible; and the hon. Gentleman might rest assured there was no disposition on the part of the Board of Works to withhold any information that might be required.

Mr. R. COLLETT inquired what return they were to have with reference to the number of men employed on public works in Ireland—whether of the number employed on reproductive and the number on unproductive works? He considered it a matter of great importance what return they were to have—whether the numbers were to be classed, those employed on reproductive works being distinguished from those employed on unproductive works, or they were to have only the sum total? There could be no objection to a return of their trades or occupations; and he wished to know whether there would be any objection to give the occupation or profession of the 11,000 overseers?

MR. LABOUCHERE said, that the return which he meant to lay on the Table, in consequence of the Motion of the hon. Member for Mallow, would be the weekly return received by the Treasury of the number of men employed on the whole of the relief works in Ireland, stating in every county the number employed in that county. If any further information should reach the Government, there would be every disposition on their part to lay it before the House.

POOR LAW AUDITORS.

SIR W. JAMES said, he had put a question to the right hon. Gentleman, in a late debate, which he had reason to think had been misunderstood by the right hon. Gentleman. He would, therefore, repeat the question which he had stated in a note to him, namely, whether the poor-law auditors were entitled to act upon their view of the Act of Parliament, contrary to the opinion of the Crown lawyers?

SIR G. GREY said, the poor-law auditors did incur some responsibility in acting upon their opinion in opposition to that of the law officers of the Crown. At the same time, the poor-law auditors were bound to exercise their own judgment in the matters within their cognizance, and to satisfy themselves that the accounts they audited contained legal or illegal items. If any party were dissatisfied with the decision of the poor-law auditors, he might appeal to the Court of Queen's Bench or to the Poor Law Commissioners.

VOLUNTARY EMIGRATION.

MR. VERNON SMITH said, he could assure the House, even if his notice did not convince them, that he was not about to enter at length into the wide and important question of emigration. Such a course had been pursued at no very distant occasions by the hon. Members for Sheffield, for Limerick, and for Liskeard, not without its advantages. But, first, he did not possess the eloquence of those Gentlemen; secondly, if he did, they had preceded him; and, thirdly, he hoped to atchieve some result which they had failed in accomplishing. He could not, however, make the Motion he intended, without giving a short, slight, but, he trusted, a just sketch of the position in which the principle of emigration at present stood. He believed it was admitted on all hands that anything like a system of compulsory emigration would be abhorrent to the feelings of the people, and alien to the popular institutions of which we were so proud. Even the application of a large sum of money for the purpose of any national system, such as had been broached by other hon. Members, would be refused by Her Majesty's Ministers, and would not be urged upon them at present by a majority of the House. On the other hand, however, there had grown up lately in this country, and now existed, a much more favourable feeling towards voluntary emigration. Could any man open any one of those reports upon the state of the population which overwhelmed the tables of Members of Parliament, without discovering that in some portions of this country there was an excessive population choking up the suburban districts of the country, and that human beings were so crowded together as to prove detrimental to health and injurious to morals? Look at the sanitary reports. It appeared that, when fever arose, there was a difficulty of removing those who had recently expired, from those who were just expiring; or, to use the language of one of the physicians, "such was the slaughter of the living by the dead!" Again, in the agricultural districts, the position of the day labourer was such, that it was difficult to imagine how subsistence was procured upon the low wages at which they worked. This was the condition of England, the happiest and at present the palmiest portion of Her Majesty's dominions. What was the state of Scotland—that country whence, let him remind the House, the most energetic and industrious emigrants proceeded? They had heard that very evening a question put by an hon. Member on this subject (Sir A. L. Hay); and the reply that was made to it by the Lord Advocate showed that the most desperate consequences had been the result of distress in Scotland. He need say nothing as to the state of Ireland, inasmuch as it had occupied almost the whole of their time during the Session; and even that night the right hon. Gentleman the Secretary for Ireland informed them that the number of persons employed on public works in that country had increased to 688,000. If it were necessary, therefore, for them at all times to consider the question of emigration, how much more so was it necessary at the present moment? If such were the physical condition of this country, what were the most recent political movements? In the course of the last year, they had repealed the laws restricting the importation of corn; and yet at this moment they were awaiting with apprehension the ensuing spring to see whether America would send supplies to meet the deficiency of our own harvest. Australia—our own infant Australia—offered her soil, and only asked to till her land by the labour which you could easily spare her. In the last emigration report from thence, it was said that the tillage would be abandoned, in consequence of the markets of England being closed against their produce. His right hon. Friend (Sir G. Grey) was about to alter, if he had not already altered, the system of transportation to the colonies. He did not intend to enter upon that subject, except so far as it was akin to the subject before the House; but, if they were prepared to put an end to it, they should recollect what effect the putting an end to that system would have upon the honest men in this country. He had no doubt the letter of the Secretary of State was familiar to the House. He detailed therein the manner in which he proposed to take under the care of the Government all the juvenile offenders in the country; and let them look at the effect that would have upon the minds and plans of industrious labourers. Suppose a poor man resident in a heavily-rated parish, anxious to maintain and educate his children, is scarcely able to do so from the price of food and pressure of taxation. He is willing to emigrate. Look to the difficulties he has to encounter, and the ignorance under which he labours as to where he is to go, and as to how he is to go. He wishes to take with him his young child, who shall give hope and spirits to his journey and his parent, the memory of whose abandonment would embitter his way. But if his child is under the age of seven, and his parent is above the age of fifty, the bounty regulations, by which alone of late passages have been procured, interfere, and where persons are under the age of seven, or above fifty, a passage is not allowed. Meantime, what is passing in the next cottage, where a profligate and improvident person resides? That man may allow his child to run about the streets, and engage, perhaps, in petty thefts. He is taken up, and placed in what his right hon. Friend said was to be a place rather of reformation than of punishment. After awhile, with his better principles strengthened, with habits of industry confirmed, he is allowed to go to the colonies, leaving nothing behind him but his shame, under the elegant name of exile, with the world all before him, and the British Government his guide. He may succeed in those colonies, and become a man of wealth and reputation. The honest man perceives what has been going on in the family of his dishonest neighbour; but when he proposes to go out to a colony, he is met with every difficulty, and told that no aid will be given to voluntary emigration. To all this, there was one answer with which he was not prepared to cope. It came from the Chancellor of the Exchequer. He turned out his empty pockets, and told them he had no money to spend upon any scheme of emigration, however promising. Now, he (Mr. Vernon Smith) did not mean to propose the adoption of any system that would cause the outlay of 16,000,000*l.*; but he asked them to give such assistance to voluntary emigration as would be useful to this country and to the colonies; and he hoped he should have their assent to the plan he was about to propose. The Motion of which he had given notice applied most particularly to the system now in practice under what was called the Land and Emigration Board. He was not sure that he ought not to explain to the Members of that House, and certainly to the people of this country, that there was in this city a board to assist emigration from this country; and that three gentlemen, now alive, were engaged in the task, however little their existence might be known to the country at large. He had not the slightest intention of saying one word against the gentlemen who performed the duties of Colonial Commissioners; but they were so limited in the small duties allotted to them, that their superintendence was of very little use. To show that this was not mere impertinence of his, he would read a statement made by the hon. Member for Liskeard (Mr. C. Buller) in 1844, as showing the manner in which this board was unknown to the public. He stated—

> "That a gentleman who had come from Canada, to organize an extensive emigration to a very fertile district on the banks of the river Ottawa, called on me to ask my advice; and at the same time stated, that he had been in communication with the Colonial Office, but could not get any satisfactory information. I referred that gentleman to the Commissioners of the Land and Emigration Board. Now, although that gentleman had been some months in England, and had been engaged in intercourse with people in this country on the subject, he was not aware of the existence of that board."

Even during the present Session of Parliament, a friend of his had told him that he came to "bore" him upon the subject of emigration, knowing that he had once occupied a post at the Colonial Office; and, upon being told that he should betake himself to three persons who received an annual remuneration for submitting to that operation, the same surprise at their being *in esse* was expressed as by the Ottawa friend of the hon. Member for Liskeard. From having held that position, he was able sometimes to afford information in his own district; but, frequent as were the changes in colonial administration, it was not yet every district that could hope to be blessed with the residence of an ex-Under Secretary of State for the Colonies. The noble Lord at the head of the Government (Lord John Russell) was the founder of the commission in 1840; and in a letter written by the noble Lord, in that admirable style which characterized every thing that came from him, says—

> "In your capacity as a general board for the sale of lands and for promoting emigration, your duties may be conveniently arranged under the four following heads: first, the collection and diffusion of accurate statistical knowledge; secondly, the sale in this country of waste lands in the colonies; thirdly, the application of the proceeds of such sales towards the removal of emigrants; and, fourthly, the rendering of periodical accounts, both pecuniary and statistical, of your administration of this trust."

Now, as to the first duty of the Commissioners—the collection and diffusion of accurate statistical knowledge—it no longer occupied a paragraph in their reports of 1845 and 1846, the head upon that subject being omitted; and as to the second, since that letter was written, an Act was passed regulating the sale of waste lands in the colonies, which was one of the most important of their duties; and another Act was passed, namely, the Passengers' Act, which was introduced by his hon. Friend opposite (Mr. Hope), at the suggestion of Lord Stanley. But, the noble Lord having told them that one of the objects they should have in view was to prevent persons being deluded by false pretences to leave this country, a check had been given to some unsound and improper schemes; but he did not see any one instance in which they had suggested or been the advocates of plans for the promotion of a sound system of emigration. He might be asked, in what way he should propose to extend their sphere of action? And the mode of proceeding might be divided into three parts: the manner in which the emigrants would be invited to leave these shores; the manner in which they would pass the seas; and the manner in which they would be received in the colonies. His object was to show, that as regarded emigration from this country, the information which the board spread was so scanty, as to afford no adequate means of knowledge to those who required it. What was the course pursued by private companies when they wished to promote emigration? The first thing they did was to establish an agency in every town of districts whence persons were likely to emigrate. Then, if not very scrupulous, they published inviting placards with pretty pictures of vessels careering over the ocean on their way to happy lands. Side by side with these showy circulars, he wanted to see promulgated the useful and trustworthy information of Her Majesty's Government. There was no reason why some persons should not be appointed to make searches, and ascertain what parishes were willing to send persons to the colonies, and what proprietors were ready to assist; and in every such district they might institute an agency, which would be at hand to communicate the means by which those who were desirous of going could transport themselves from this country. Or, if a local agency was too expensive, why should not the Commissioners themselves from time to time make journeys through the country for this purpose? Their deficiency of superintendence had, in fact, been shown by succeeding Secretaries of State. Lord Sydenham, when in Canada, proposed that a Government agency should be established to secure the protection of persons on board emigrant vessels; which was objected to, because he was told that it would be impossible to procure such persons, although this country was full of medical practitioners at a low rate of pay, who would be perfectly competent; the salaries of such officers in unions varying from 40*l.* to 100*l.* per annum; and the pay of assistant navy surgeons averaging 150*l.* per annum. Lord Grey himself had proposed a plan to establish villages for the reception of emigrants in Canada, and had been obliged to abandon it, as no company could be persuaded to take the matter up for want of supervision, although such a beginning was almost necessary for his Lordship's favourite policy of municipal institutions as the groundwork of the representative system in colonies. If they wanted to see what such supervision could do, let them look at the reports of their own agents, Messrs. Buchanan and Hawke. He told them of the state in which the German emigrants arrived, and how preferable it was to the condition in which their own countrymen came. They were supplied with abundance of bread, flour, lime-juice, and beer; and, though the voyage had been long, only seven persons out of 902 were in hospital. It appeared from the returns of Mr. Buchanan, the Canadian agent, that numbers of emigrants had arrived from Waterford and its neighbour, New Ross; from Killala, in the county Galway in Ireland; in Great Britain, from Beaumaris, Hull, Plymouth, and Southampton, from which last place the Poor Law Commissioners told us that the south-eastern emigration was proceeding now, instead of from London; and yet at none of these ports were agents situated. There were several other parts from which large bodies of emigrants went similarly circumstanced. At Liverpool, there was only one agent, although not less than 70,000 emigrants left that port in the spring of 1846. However active the agent might be—and that Captain Lear was so, he knew—it was impossible he could do his duty properly. What was the consequence? Why, that proceedings were obliged to be taken against the masters of vessels in the colonies: there were, in the last year, six in Canada, and thirteen in New Brunswick, all which expense might have been saved by proper agency. Of the six in Canada, an account was given in the papers before the House; five obtained convictions—four were against vessels sailing from ports where there were no agents—

> "The masters of the barque *Glenthorn*, from Tralee, and brig *Hope*, from Westport, for having an excess of passengers over their legal complement. The master of the brig *Triton*, from Penzance, for not having having the passenger-deck of his vessel properly constructed. The master of the brig *Arab*, from Bideford, for neglecting to make the issue of provisions during the passage."

The three first of which offences might clearly have been prevented, had there been an agent at Tralee, Westport, or Penzance. When the hon. Member for Limerick brought forward this subject in 1841, the noble Lord the First Lord of the Treasury said, that he had framed the Land Board, in order "that he might be afforded a greater possibility of bringing before the House a more perfect system;" and he trusted the noble Lord would be prepared to support him in so doing in 1847. It was with this view, to the effectual improvement of the system, that he submitted the present Motion to the House. It would be an improvement, as had been suggested by the late Lord Sydenham, if there was a passenger protector on board of each emigrant ship; neither would it be attended by any great additional expense. The third point was, that when emigrants arrived at their place of destination, they should find, not only an agent at the port of entry, but one who should direct and even accompany them to the spot where they could find location or employment. Such a person was well known to private companies, under the name of a dispersing agent. In this manner, the more eloquent than correct description of the duties of the Land Board by Lord Stanley, in 1843, would be fulfilled. That noble Lord had then said, "There is an emigration agent stationed at every port of the United Kingdom,"—whereas, he (Mr. Vernon Smith) had already shown their deficiency—"thus," proceeded his Lordship, "the superintending care of the Government is carried on from point to point—from the time the emigrant leaves his home, at the extremity of Norfolk or Connaught, till he rejoins his friends in the wilds and wastes of Upper Canada." Make this description literal, and he was satisfied. There was one more subject of a most delicate nature that required the deepest attention—the subject of female emigration—when they considered the fearful disparity of the sexes in some of the colonies. According to the last census, there were in Van Diemen's Land 40,788 males and only 18,114 females. In New South Wales an accurate analysis of the proportions had been made; and the result was, that if all the single men now wished to marry, not one in eleven could find wives. Now, this luckily was a subject which he was not obliged to treat upon his own authority alone. There was a lady now in this country, Mrs. Chisholm, to whom the highest compliments had been paid by the immigration committee in New South Wales. They spoke of her as "a lady whose enlightened and benevolent exertions in behalf of immigrants had been such as to merit the acknowledgment and thanks of the whole colony." With an understanding which in our arrogance we were pleased to call masculine, but with a heart that could only be a woman's, Mrs. Chisholm had devoted herself to the advancement of the condition of free settlers arriving in New South Wales; and this was her opinion as to female emigration, in answer to questions from the committee:—

> "I would propose that they should be sent under the guardianship of respectable ladies, who would exercise parental control over them. I consider there would be no difficulty in meeting with highly respectable persons who would undertake this charge, and feel an interest in their welfare; such as the widows of clergymen and military officers who might be desirous to make an addition to their income. The object of Government should be to keep experienced and respectable persons in this employment. I quite disapprove of females coming out under what is called the protection of families. A number of the young women informed me that they never saw the parties to whom they were consigned, until they met them on board of ship. I think there are thousands of young females in the United Kingdom, the daughters of highly respectable persons, who must earn their own living; and they would come to this colony to better their circumstances. Under a good system the best would emigrate."

That this would be the case, was no theory of this lady's. It was known that persons of the class she described undertook the charge of young women to the East Indies. The last subject he should urge on the attention of the Ministry, was the composition of the Emigration Board itself. He did not think it had sufficient dignity and importance; it ought not to be a mere dependency of the Colonial Office. Why not establish a commission similar to the Railway Board? Why not—though he did not especially insist upon it—have a Parliamentary head? The adoption of such a course would add much to the consequence, and, he believed, to the utility, of the institution, and would add but little to the expense. He would sum up the cost, as he had ventured rashly to propose a plan, in order to show the chariest Chancellor of the Exchequer how little he had to fear from him. The additional agency might cost 20,000*l.*; the female emigration 10,000*l.*; so that the whole additional cost would not exceed 30,000*l.* After all, this was the least even of the colonial votes. As to others, only last year they had voted for the improvements in the British Museum a sum of 45,000*l.* He did not think that money ill laid out. Far from it. He thought it well that the wonders of nature and art, collected in that admirable institution, should be brought familiarly before the eyes of the public. But when he compared the great and extended advantages of emigration, with the objects attained by the British Museum, he felt that as large a sum as had been voted to that institution would be well laid out for advancing the purposes of emigration. He did not, however, mean to ask the House to give any large sums at present; he merely wished to follow the direction which the noble Lord the First Minister had taken, because he must have intended to pursue some more systematic and less desultory course than had hitherto been followed. He wanted, then, to furnish the voluntary emigrant with ready sources of information upon the subject of his wants, at first starting for a distant land—he wished to provide protection for him upon the unknown, and perhaps hitherto unseen ocean; and, above all, when the emigrant should have arrived at the port of his destination, in a place with which he was wholly unacquainted, and in which he had little in common with the inhabitants save the same language, that he should be able to have pointed out to him by responsible agents the best means of at once applying himself to the attainment, not, perhaps, of immediate affluence, but, at least, of that which in his native country had been denied to him, a laborious competence. He hoped he should not receive from his hon. Friends, by way of answer, any of the usual ones given to those unfortunate individuals who might have to bring forward plans of their own. He cared, however, but little for this specific result, if Her Majesty's Ministers would but promise to give ample development and effect to the plans they had themselves proposed. The right hon. Gentleman concluded by moving—

> "That, in order to assist and encourage voluntary emigration to the Colonies, it is expedient to increase the importance and authority of the Land and Emigration Board—to add to their agency in Great Britain and Ireland, and promote their vigilant superintendence of the passage and future location of the emigrants."

MR. MACKINNON seconded the Motion. His views completely coincided with those of the hon. Mover. He spoke with some experience upon the subject, having had the honour of being for some time an unsalaried commissioner for the colony of

South Australia. There were few subjects upon which so much had been said, and yet of which so little was understood, as the subject of emigration. If gentlemen in the country felt themselves annoyed by what they considered to be an over-population, they immediately came to the House and tried to persuade the Members and the Government that an extensive system of emigration ought to be adopted, the expenses of which should be borne by the country at large. He agreed with these who thought that emigration was most desirable; but he also thought that the less the Government interfered with it, the better. It would not do for the Government to tax the country to such an extent merely as would enable them to send out emigrants to the colonies. They should go further, if they undertook it at all, and raise enough to provide for those emigrants for at least six months, until they would be enabled to earn their own means of living. If they did not make such a provision, they would be committing an act of great cruelty in sending them out at all. They should remember that the individuals of the greatest importance to a colony, were the laborious hard-working people, and those should be provided for until employment could be found for them, if the Government were to undertake to send them out. But they might do much for those emigrants who had means enough to take themselves out, and to cultivate the land which they might get when arrived. Agents of the Government should be allowed to give sufficient portions of land to persons able to purchase. In the colony (South Australia) with which he was connected, they merely took money for the lands allotted and sold to settlers, and applied it to the bringing out of more emigrants. And although he thought that no great expenditure should be incurred, yet if a few thousand pounds were to be well laid out in assisting a good measure of emigration, he should have no objection, remaining still, however, of opinion, that the less the Government interfered directly, the better.

Mr. LEFROY was anxious to take that opportunity of expressing his thanks to the hon. Gentleman who had introduced the question to the consideration of the House; and he did so with the greater pleasure, because he did not generally agree with the hon. Gentleman in his opinions and politics. But he thought the proposal of the hon. Gentleman was at the present time most important; and, however individuals might differ upon the terms of the plan, he believed it would be generally admitted that some mode of carrying its objects into effect should be adopted. When they remembered the statement made by the right hon. Gentleman the Secretary for Ireland, as to the measures which had to be adopted for the mere purpose of warding off starvation from the people, they must feel that some measure should be adopted for relieving that country from the pressure of such an over-population. He valued highly the statement of the hon. Gentleman; and he thought that if the object could be accomplished, of having a proper superintendence of the passage of the emigrants, and proper officers appointed for their guidance after their arrival in the colonies, it would be one of the most efficient and best steps that could be taken by Her Majesty's Government. The poor law, even as it stood, gave some assistance to emigration; but a generally extended system would be one of the safest and best modes of conferring a lasting benefit on Ireland. He trusted that the Motion of the hon. Gentleman, if it did no more, would direct the attention of the Government, and of every one who considered deeply the position of Ireland, to it; and all must admit that the question was one of the greatest importance. For his own part, he was ready to give his best assistance to the forwarding of such a plan, if he could be of any use.

Mr. KERR thanked the hon. Gentleman who had introduced the resolution. The plan proposed would, in his opinion, effect the most good; indeed, he thought it would be almost the only means, and certainly the most effectual, of relieving the distresses and difficulties of Ireland.

Mr. HAWES could assure his right hon. Friend who brought forward this Motion, that he had not one word of complaint to urge against him for the manner or the spirit in which he introduced it to the House. The subject was unquestionably one of great importance, though it might be that he did not take quite the same view of it as his right hon. Friend; and he certainly did not think that by giving a parliamentary character to the Emigration Board, they would render it of any greater or more efficient service than it was already. He thought, however, that his right hon. Friend rather under-estimated the exertions of the board as it at present existed. It appeared to him that the board as now constituted was neither intended to promote nor stimulate emigration, but rather to assist and advise emigrants, and remove impediments and difficulties from their way, and thereby allow the even current of voluntary emigration to flow uninterruptedly in whatever direction it might naturally take; and he thought he should be able to show the House by returns of what had been done by the board, that nearly all that could possibly be done by it, constituted as it was for the purposes for which he contended it was intended, had been effected most ably and zealously by the Gentlemen composing it. At the same time it was right for him to say that no suggestion which fell from his right hon. Friend would be overlooked, as there was no desire whatever to retain the board exactly as it was. There was an anxious wish felt by the noble Lord at the head of the Colonial Department that the board should be efficient for the purposes for which it was appointed; and anything tending to that object would receive his attentive consideration. But even if Parliament were to sanction all that his right hon. Friend desired, he thought it would still be almost impossible for the board to do more than they did at present, unless the Legislature contemplated actual payment of the passage money for emigrants; a course which he believed his right hon. Friend did not recommend. He believed he should be able to show that the board was at present far more efficient than his right hon. Friend seemed to imagine, or than the House would be inclined to suppose, from the statement which he had made. The evidence on this head was sufficiently striking to justify him in producing it to the House in a small compass. The board, as the House would bear in mind, had not been very long constituted. His right hon. Friend held, he believed, at the time the office which he had now the honour to fill, of Under Secretary to the Colonies; and in that capacity, his right hon. Friend, no doubt, had frequent communication with the Land and Emigration Commissioners; and if his right hon. Friend would permit him to say so, he was now therefore rather late in discovering the deficiency of the board which the noble Lord, under whom he served, had then established. His right hon. Friend was, he thought, not very successful in the amendments which he proposed. He would for a moment consider what the board had actually done; but he wished first to correct a fact stated by his right hon. Friend, that there was not a vigorous and vigilant superintendence on the part of the board and of their agents. On the contrary, there was a superintending and directing agency exercised on the part of the board, which made the statement of a noble Lord who lately filled the situation of Colonial Secretary, he meant Lord Stanley, strictly, and almost literally true, that the emigrant, from the moment he left his parish until he arrived at the location which he selected, was well and efficiently superintended and directed. Now, he would ask the House to look for a moment to the amount of emigration conducted by the board for the last ten years. Within this period the persons sent out to Australia were 20,000 under the direct management of the office, and 28,000 more under its immediate superintendence; making a total of 48,000 emigrants within ten years. The House would bear in mind that this was a quarter to which emigration had not before been directed. Until his noble Friend at present at the head of the Colonial Department adopted means for making the sale of the waste lands sustain emigration, no free European emigrants had been sent to those colonies. Yet, under that system, 48,000 individuals had been sent out in ten years under the supervision of the board, and had been all provided with necessaries for the voyage, and had, he believed, in the meantime, been successful in locating themselves. One striking proof of the successful operation of the board was afforded by the gradual decrease that had taken place in the mortality on board emigrant ships. At first the mortality was about five per cent; but under the superintendence of the board it had been gradually reduced, until latterly it was not more than one-half per cent. In fact, through the precautions adopted by the board, the mortality during the voyages was at present absolutely less per cent than among the population remaining in the country. But that was not the only instance in which the board successfully superintended emigration, and directed its current. He would refer to the emigration of the Coolies to the West Indies. That plan was introduced by the late Government; and he saw his hon. Friend opposite (Mr. G. W. Hope), who, in conjunction with the noble Lord then at the head of the Colonial Department, adopted that plan of sending labourers from the East Indies to the West India Colonies. In

1845 and 1846, the Emigration Commissioners were called upon to superintend this new system of emigration. Nearly seventy ships were engaged in London by them, and 18,000 Coolies were sent to the West Indies. Here, again, he found a gradual decrease of mortality on board the ships. Those from Calcutta, owing to the prevalence of cholera there, suffered most; but in the vessels which sailed from Madras the mortality was reduced to eight-tenths per cent, and from Sierra Leone the deaths were still less. His right hon. Friend, therefore, had scarcely done justice to the labours of the present Commissioners; and he did not see that any increase of expenditure or any parliamentary expenditure would be more efficient, or that a parliamentary representative for the board would render it more perfect or make it more known. The Commission was under the direction of the Secretary of State for the Colonial Department, who had always a seat in one House or the other; and having, in point of fact, the responsibility of the proceedings of the Board of Land and Emigration Commissioners, he was always present in Parliament to take that responsibility, and to afford either House information. Let him also state to the House the extent of voluntary emigration which, superintended in a great degree by this board, had proceeded from this country. From the year 1837 to the year 1846 inclusive, no less than 856,392 persons had left this country as emigrants; to America, 740,302; to Australia, 100,754; and to other places, 15,536. The hon. Member for Northampton had scarcely given a correct impression of the nature of the agencies connected with emigration. He held in his hand a report from their emigration agent at Kingston, in Canada, giving very minute details of the number of emigrants that had been forwarded by him through the interior parts of the country, which did not bear out the statement made on this point by the right hon. Gentleman. He wished by these details to show that what his right hon. Friend aimed at was already mainly accomplished, and that the system of voluntary emigration now existing was one entitled to their confidence, rather than one which required that the board should be altered, and an unnecessary expense inflicted on the public by increasing the establishment. He wished it to be borne in mind that he did not speak of colonization—there was a great difference between that and emigration; he spoke only of that stream of daily emigration which proceeded voluntarily from this country; and as far as that was concerned, he thought the present board had been successful and of great benefit. His right hon. Friend knew very well that persons not connected with the Government collected people and sent them out to the colonies. Upon that system, he believed, there was but one opinion. He had evidence to show that amongst the colonists there was but one desire, namely, that the Emigration Board should continue to direct emigration. On the part of the shipowners, who might be supposed to be more interested parties, the feeling was to the same effect; and, as far as he knew, on the part of the public, cases of complaint against the proceedings of the Emigration Board were very rare; but when they did occur, they were most carefully and anxiously investigated under the authority of the Secretary for the Colonies, and the active agency of the board itself. His right hon. Friend seemed to have brought on his Motion with reference to the immediate necessity of the present moment; but the Government were quite alive to the importance of the subject, and intended to increase the emigration vote for the present year. There would be more sufficient means provided at the port of Liverpool; and if at any other ports the number of persons desiring to emigrate increased, the number of agents would be increased also; and all that his right hon. Friend recommended, not the less because he did recommend it, would be cheerfully adopted. That would show that there was no indisposition, by every means within the power of the Government, to meet the present emergency, by again directing a voluntary system of emigration. But if his right hon. Friend contemplated colonization through this board, he contemplated that which the board was never constituted to undertake. A system of colonization was a course of policy upon which the Government and that House must decide; it was a much more difficult and comprehensive question than that of emigration. He wished he could speak definitely upon the subject of colonization. His right hon. Friend knew that a question of that sort depended upon the sufficiency of funds; but if systematic colonization, or colonization upon a large scale, was to be encouraged, let them give free institutions and good local government to those colonies. The capital and labour of this country might be beneficially directed to them; but the first and great elements of a sound system of colonization were free institutions and good local government. He thought he might say that that end had been at least obtained in the charter and royal instructions for the future government of New Zealand. If there were no Emigration Board established—if nothing were done to regulate the voyage and all the details connected with that long and sometimes dangerous passage—he should say it was within the power of the Government to do much to encourage emigration; but from the experience he had yet had, he thought the present Emigration Board, and the increased vote for the purpose of emigration this year, and the provisions for agents to receive and direct forward emigrants as they arrived, was about all that the Government could do to encourage a system of free emigration which was at all likely to arise under all circumstances. But he must call the attention of the House to one part of his right hon. Friend's speech. His right hon. Friend said, "Increase the number of agents; nay, even appoint commissioners to encourage emigration. Send them into every parish in the country; give every encouragement to incite persons to emigrate." He thought that that would be a very dangerous course, and would lead to great disappointment; for whence were the funds to come? At present, they came from private sources, or the sale of the Crown lands in the colonies; but if they stimulated neighbourhoods and parishes to emigrate, where would they find the funds? The emigrants would be crowding in the ports discontented, and justly so, and the blame would lie at the door of those who so unguardedly incited emigration without supplying the means of paying their passage. Then his right hon. Friend said, that as to the sale of Crown lands nothing had been done. He could show that causes had been in operation to prevent the sale of Crown lands in New South Wales and Australia; but there had been sales of Crown lands, and he found that between 1840 and 1846, the sale of those lands in New South Wales, Port Philip, Van Diemen's Land, Western Australia, South Australia, New Zealand, and the Falkland Islands, amounted to 45,507*l.*—the whole of which had been devoted to emigration. It was not, however, in the province of the Board of Emigration to direct the sale of Crown lands. He was not aware that he had omitted to touch upon any point raised by his right hon. Friend. He did not wish to meet this Motion by a direct negative, but rather to show his anxious desire to receive any hint that would facilitate free and voluntary emigration. He therefore proposed to meet the Motion of his right hon. Friend by moving the previous question, assuring his right hon. Friend that the subject would receive all the attention that the Government could give to it.

DR. BOWRING said, the feeling was strong in some of our most remote colonies that the principles of liberty were not sufficiently recognised, and that the influence of despotism was allowed to prevail too strongly. In every portion of the globe where Her Majesty's rule extended, an expectation had been raised that the principles of a representative and responsible government would be established and recognised: and he rose for the purpose of ascertaining the views of the Colonial Office in this respect. It would do infinite honour to Her Majesty's Government if they would allow a general declaration to go abroad, that where British citizens should establish themselves, there the rights of British citizens would be recognised—that they should no longer be under authority of a despotic or tyrannical character, but take with them the same privileges which those enjoyed whom they had left.

MR. HAWES said, his hon. Friend would scarcely expect him to give a very distinct or definite answer to his questions. It would be highly imprudent in him; but, at the same time, Gentlemen who attended to subjects of colonial interest would recollect what had fallen from his noble Friend (Lord J. Russell) in the course of last Session. To what his noble Friend then said, he adhered. He cordially adopted the principle then laid down, and the first fruits of it would be found in the constitution conferred upon the colony of New Zealand. The subject was one which occupied the attention of his noble Friend at the head of the Colonial Department. Beyond this assurance, he could hardly be expected to enter.

MR. W. SMITH O'BRIEN was sorry that so limited a character had been given to this debate. He should have been happy if an early opportunity had been taken this Session of entering upon the whole question of colonization. Colonization was very different from emigration; but as the question was likely to be brought before the House, and measures adopted in the colonies whereby emigration might be carried on to the greatest advantage, he should confine his attention to some of the points adverted to by the right hon. Gentleman the Member for Northampton. With many of the right hon. Gentleman's suggestions he entirely concurred. He believed himself that sufficient pains had not been taken by the Land and Emigration Committee to extend emigration. He did not think they had been sufficiently impressed with the importance of communicating throughout the United Kingdom information upon the state of emigration prospects, particularly at the commencement of the season. Would there be any objection to lay upon the Table an estimate of the number of emigrants that might annually be received in the British colonies, and also to repeal the emigration tax? No colonization circular had been published during the present year, and great numbers of people therefore were necessarily in entire ignorance as to which of the colonies it would be most advantageous to them to direct their attention. As to agents, not a single port ought to be left unprovided with them; and agents should be established in every one of the colonies to receive and attend to the emigrants. It would also be desirable that when the emigrants arrived out, a minister of their own persuasion should be appointed to watch over their spiritual welfare. The boards of guardians in Ireland ought to have greater power to assist emigration. By these various means he was convinced a greater number of emigrants might obtain improved prospects of bettering their condition in the British colonies, and of becoming the possessors of land. Considering the present state of Ireland, he really did not know any measure more deserving the serious attention of the House than emigration, as a means of extricating that country from its present deplorable position.

Lord J. RUSSELL would endeavour to answer some of the particular questions which had been put by the hon. Gentleman. The hon. Gentleman first asked whether any estimate could be given of the number of persons who could be annually received in the British North American colonies. It was impossible for the Government to form any estimate of that kind. They would be leading the House and the public into error if they attempted to furnish any estimate of the number of persons who could be received in those colonies in any one year; and it was because they were unable to form any such estimate, that, after a great deal of consideration, they thought it unadvisable to undertake the payment of the passage of emigrants thither. The hon. Gentleman must see, if he turned his attention to the subject with a practical view, that when a great number of emigrants arrived in a colony, for whom, or for whose labour, there was no demand, great difficulties would arise in the first place to those poor persons who had crossed the seas without being able to better their condition, and that next a feeling would arise among the colonists most injurious to the welfare of the colony. It was, therefore, in the opinion of the Government, better to leave emigration to be carried on first by the voluntary disposition towards it which there was on the part of many in this country, with the assistance that might be given by landlords or parishes to poor persons; and, in the next place, to the intelligence which was received from the colonies and from the United States of America, with regard to the prospects of employment. The hon. Gentleman knew very well—and it was a most honourable service on the part of those Irish who had gone before—that a very large sum, not less than 100,000*l.*, had been transmitted by them within the last few months to their relatives, for the purpose of facilitating their emigration. This fact showed that voluntary exertions, where the Government had not taken any particular direction, were providing funds for the purpose. But the hon. Gentleman had asked whether it was the opinion of Government that the emigration tax should be continued, that tax being, as he must allow, to a certain amount, an apparent obstruction to emigration. He said "an apparent obstruction to emigration," because he did not think it was a real obstruction; and for that reason he thought it ought to be continued. The emigrants arriving at Quebec used formerly to be in a destitute condition; many of them utterly unable to go further; while, at the same time, there was not in the ports of Canada a sufficient demand for labour to afford the means of employing them beneficially. The proceeds of the emigration tax, which did not exceed 5*s.* per head, were devoted, in the first place, to provide hospitals and care for those who arrived sick, and were unable to proceed into the country; another object of it was, to enable those persons who were unable from want of means to proceed into the country, to reach the places where there was a sufficient demand for their labour. It seemed to him, therefore, that there could not be a tax with a better object, or one which had more fully answered its purpose. The consequence had been, that of late years emigration had very considerably increased; and, whilst it had so increased, it appeared from the reports of the agents in our North American provinces, that the demand for labour had been promoted; there were none of those sad complaints of numbers lying sick in the streets, and of the failure of emigration, which in former years were common. Last year, 1846, the total number of emigrants from this country to British North America, Australia, and other places, was 129,851. The only assistance given at present was a small sum, which he himself recommended, for the purpose of conveying emigrants from Quebec and other ports into the interior of the country, because he thought as there was proof, by their going out and paying for their passage across the seas, that they had some means, a small amount might be granted to assist the emigration tax. He did not exactly know how much that sum was, but it appeared to him that there was no necessity why it should be increased; at the same time, he was quite ready to say, that if next year the tendency to emigration appeared strong and decided, the sum allowed for assisting emigrants might be increased. He had just been informed that the sum was 5,000*l.* for the present year, and he did not see any grounds for its increase; but though he now expressed that opinion, it would not preclude the Government from taking into consideration the circumstances of the mother country and of the colonies at a future time. To apply at present any further or additional stimulus, might only add to the general distress, and might have the effect of inundating the colonies with labourers for whom no employment could be found. He had been told, that at the present moment the State of New York was about to impose an emigration tax, and to take other measures, in consequence of the number of persons who had arrived there, with a view of checking them. He assured the hon. Gentleman, that if the Government thought the voting of an inconsiderable sum, or even a considerable sum, for the purposes of emigration, would be conducive to the benefit of Ireland and the colonies, they would be ready to agree to it; but, after full consideration, and after seeing the great benefit derived from leaving emigration to the voluntary efforts of individuals, he was not of opinion that any large assistance on the part of the Government was desirable. With regard to the details of the poor law as to emigration, he would look to the clauses which the hon. Gentleman had pointed out, and if they were defective, he should be happy to confer with the hon. Gentleman upon their amendment. With respect to the Motion before the House, he thought the Under Secretary for the Colonies had fully answered the points in dispute; and he, therefore, had confined himself to answering the questions of the hon. Gentleman.

MR. G. W. HOPE said, it was all very well to lay down general theories upon such a subject as this, but it was much more difficult to carry them into practice. He had often had to defend the Colonial Department for not doing more in this direction; but when he was in office, it was deemed best not to attempt what they foresaw could not be accomplished. The Land and Emigration Board had been charged with want of energy and activity; but if that charge could be maintained, it was owing to the want of the sinews of war. The Australian Board, which was supplied with funds from the sale of land, had shown great activity and energy; so also had the Coolie and West Indian Boards. He contended that the Commissioners, so far from showing a want of activity, had displayed the greatest skill and energy. As regarded emigration from this country, the right hon. Gentleman had stated that their office was so little known, that persons could scarcely find it out. If that were so, it did not result from any fault in the constitution of the board. He knew, however, that the number of letters answered in one year by that board was nearly as great as those answered by the Colonial Department. The applications were most numerous, and he believed that the information given had been most full and satisfactory. The hon. Gentleman complained that a measure which had been brought in under the Administration of the noble Lord (Lord Stanley) had been abandoned. That was so; but it was upon the recommendation and report of Lord Sydenham that that had been done. Lord Sydenham said, that he had no hesitation in pronouncing such a measure inexpedient, for the sum that could be obtained from Parliament would be inconsiderable—it would open up an opportunity of jobbing, and would paralyse all individual exertion.

Upon that report the scheme had been abandoned, and not, he believed, at the suggestion of the noble Lord (Lord Stanley) himself.

Mr. C. BULLER admitted that he had propounded to the House a plan which some might have thought visionary; which certainly was so comprehensive that he himself could scarcely have hoped for its adoption; but yet which he thought might have removed some of the great obstacles in the way of emigration. His noble Friend also had thought, that by making an immediate effort in the way of emigration to the colonies, some beneficial consequence might result to Ireland. Both plans were large, and both had undoubtedly failed; but he asked, whether it was any discredit, either to his noble Friend or to himself, that they had proposed and had done their best to carry out plans which they believed would be useful in their results, and which they, therefore, thought it their duty to submit to the House? He certainly could not apply that charge to the right hon. Gentleman opposite, or to the noble Lord under whom he acted. They had made theory and practice perfectly coincide. Their theory was, that it was unadvisable to take any steps to found British settlements in any part of the globe; and most amply did they carry out their theory. Now, with respect to the question which had been brought forward by the right hon. Gentleman the Member for Northampton (Mr. V. Smith), he had little to add to what had been stated by his right hon. Friend the Under Secretary for the Colonies. Any deficiency in the organization of the Land and Emigration Board was not in reality the difficulty in the way of colonization. There were, in his opinion, two great difficulties. One was the extremely imperfect state of the Colonial Governments; and the other was the utter impossibility of getting any land fund from which to defray the expenses of emigration. In Upper Canada, where there was the largest extent of unoccupied land in the British dominions, it had been so appropriated in former times, in consequence of profuse grants from the Crown to absentee landlords, that when Lord Durham presented his report, it appeared that out of 17,000,000 acres of surveyed and occupied land, only 600,000 acres had been left in the occupation of the Crown. Now, let them look at Prince Edward's Island. That block of land contained about 1,000,000 acres. Its insular position, genial climate, and fertile soil, gave it an advantage over almost every other part of the British dominions. That island now supported a population of 12,000 people. But society there was in a stagnant, unproductive, most hopeless state. The blight of that colony occurred in a single day, the day when the king of this country was advised to grant the whole of that island to persons in London who knew nothing about it or its capabilities. The next colony which was available for emigration—which he should say presented the noblest field of enterprise to the English race, which was admirably situated for commerce, superior in climate to any portion of the world, and of great extent—was the colony commencing with the Cape of Good Hope. They all knew the difficulty there—the presence of a savage enemy whom no colonists would venture to encounter. The only colonies left as a seat of colonization, were the Australian Colonies and New Zealand. The Commissioners had used the land there as it had been entrusted to them; they had sent out emigrants on an improved plan—all they could do was simply to superintend their emigration. Then there was a large voluntary emigration to the United States and to Canada—the Commissioners superintended that also. Now, he did not mean to say when the British colonies should be laid open, and should afford that field to the industry of this country which they ought to afford, that the office of Colonial Land and Emigration Commissioner might not be one of far greater importance and utility; but he did say that to commence with a reform of the Colonial Land and Emigration Board at the present moment, would be to fit it for functions which at present it had no opportunity of discharging. Their operations should tend in two other directions. First, they should concede to every body of Englishmen who went out to plant a colony, the right which Englishmen had of self-government; and secondly, they should in every colony establish such a sound system for the disposal of land, as would, whilst concentrating the efforts of the population, at the same time afford an ample fund for conveying emigrants from this country to the most distant parts of the world.

Sir W. JAMES said, some plan must be devised to provide the means of extensive emigration from Ireland, or there would be no resource for the people there but to lie down and die of starvation. It would be better that something should be done such as had been indicated by the noble Lord, than that such a result should ensue. At the same time, he thought that the devotion of so miserable a sum as 5,000*l.* a year for such a purpose, was only calculated to act as a damper on the expectations of the people of this country, and to produce the impression that the Government were not doing all they could.

MR. V. SMITH, in reply, said, after the statement of his hon. Friend the Under Secretary for the Colonies, of course it was not his intention to divide the House upon his Motion. During the discussion, it had been said that he was rather late in bringing the question under the notice of the House. Now, undoubtedly, the Emigration Board was established when he had the honour of serving in the Colonial Office, under his noble Friend below him (Lord J. Russell), and he heartily approved of its institution; but he had always understood that it was the intention of his noble Friend to improve and extend the original scope of the duties of the board, and it was to urge on that improvement that he had ventured to call the attention of the House to the question. It had also been assumed that he was desirous of stimulating and encouraging emigration by means of agents of the board being distributed throughout the country. He had said no such thing. All he wanted was, that correct information upon the subject should be given to the people, in place of that delusive information which was so frequently put before them, and which was so calculated to mislead.

Previous question negatived.

CRACOW.

MR. HUME said, that in rising to call the attention of the House to the subject of which he had given notice, namely, the annexation of Cracow, he could not avoid expressing a hope, that the cause which he supported would not suffer in consequence of his inability to do that justice to it which the importance of the subject deserved. However feeble his efforts might be, he was unwilling to allow any longer time to elapse without bringing the matter under the notice of the House; and he therefore availed himself of this opportunity of doing so. It would be in the recollection of the House that towards the close of last Session he called its attention to the state of continental affairs, in consequence of the free State of Cracow being at that time occupied by Russian and Austrian troops, which troops he then thought were very likely to retain possession of Cracow. He urged upon our Government the propriety of giving attention to the condition of the free State of Cracow—an attention which was more especially required from them, inasmuch as we were parties to the Treaty of Vienna, and it was therefore to be expected that we would not allow the free State of Cracow to remain subjected to occupation by those soldiers, without any remark or remonstrance on our part. In 1831, there was a previous occupation and military possession; and in 1836 there was another military occupation—both directly contrary to the Treaty of Vienna. Those occupations he described last Session, and in addition he showed that he had reason to doubt the intention to cause the troops to retire from Cracow; but, on that occasion, the noble Lord at the head of the Foreign Department, whom he saw in his place, begged of the House not to give credence to the statements which he (Mr. Hume) then made, as the noble Lord (Lord Palmerston) was in possession of better information, and he was convinced that the occupation of Cracow was only a temporary occupation; and a noble Duke in another place was equally confident that his old allies and friends would not require more than a temporary occupation of Cracow, and that, before long, the territory of Cracow would be free from the presence of those troops. He (Mr. Hume) stated on that occasion what he would now repeat, that this was not the first infraction of the Treaty of Vienna which he had remarked; and he expressed his regret that this country should have been a party to a treaty which she was not capable of enforcing. He found that we had kept faith and honour so far as our part was concerned; but he had not found that those Powers to which he had alluded had kept their faith and honour on any occasion where their own interests were concerned. He, on that occasion, and with those views, directed the attention of the House to the occupation of Cracow by foreign troops; but he would now call on hon. Members to take a view of Cracow under different circumstances from those in which she was placed when he last brought forward the subject. When he called attention to it towards the end of last Session, it was stated that there had been no infraction of the Treaty of Vienna; but since that occasion, namely, on the 19th of January, at the opening of the Session of Parliament, it was alluded to in the Queen's Speech in the following terms:—

> "The extinction of the free State of Cracow has appeared to me to be so manifest a violation of the Treaty of Vienna, that I have commanded that a protest against that Act should be delivered to the Courts of Vienna, St. Petersburg, and Berlin, which were parties to it. Copies of these papers will be laid before you."

That was the statement in the Queen's Speech, showing that it was regarded as a direct violation of the Treaty of Vienna; and lest it might be supposed, as he believed it had been already stated, that the opinions of the House had been fully expressed on the subject in the Answer to the Address, he would beg to remind hon. Members of what was invariably the case, namely, that the Answer to the Queen's Speech did not prevent a full consideration of any subject mentioned in it at any later period of the Session; and he, therefore, hoped that the universal practice of the House would be a sufficient answer to any allegation to the effect that this subject had been finally disposed of in the Answer to the Address. He now held in his hand a paper laid on the Table of the House by command of her Majesty; it was a paper relative to the suppression of the free State of Cracow by Austria, Russia, and Prussia. He was not the only person, it would appear, who was alarmed at the occupation of Cracow by foreign troops; for that occupation had been made the subject of a correspondence so early as February last year, although it was then stated, as it had been since, that the occupation was to be but temporary. In one of the letters of Mr. Magennis, from Vienna, he stated to Lord Aberdeen that a messenger had been despatched to London, with a view to give a full explanation of the occupation of Cracow. He regretted that he did not find the papers containing those explanations in the correspondence presented to Parliament; but he presumed they satisfied the noble Lord then at the head of Foreign Affairs, that the assurances and statements he received from foreign Courts were to be credited. It was somewhat remarkable, that from January to August no definite answer appeared to have been made either by Lord Aberdeen or by the noble Lord now at the head of Foreign Affairs. It did not appear that they had issued any instructions respecting the occupation of Cracow, although, after the attention given to it in Parliament and in the country, the House was entited to expect that some notice would have been taken of it. On the 25th of June, Lord Aberdeen wrote a letter, in which, with all the prudence and caution for which that noble Lord was noted, he said he would suspend his opinion at present respecting the occupation of Cracow, and would abstain from active interference on behalf of that republic. The noble Lord now at the head of Foreign Affairs said, in his letter of August 4th, that he hoped nothing would be done in regard to the State of Cracow which was at variance with the stipulations of the Treaty of Vienna. That letter was written within a few days of his (Mr. Hume's) Motion respecting the occupation of Cracow; and he gave the noble Lord credit for believing that the Allied Powers would not be guilty of such a violation of the Treaty of Vienna as had since taken place. The papers laid on the Table of the House afforded full means of judging of the real nature of the transactions in connexion with the occupation of Cracow; and in alluding to them he would say of Prince Metternich's letter that it was one of the most discreditable documents which he could imagine, coming as it did from a man of the high character of Prince Metternich, who ought to maintain the honour of the nation he represented, and the character of a diplomatist. The document was, he repeated, discreditable to Prince Metternich; for although it might be the policy of a diplomatist, judging of public faith, to justify himself by the magnitude of smallness of the territory concerned, yet he (Mr. Hume) could not agree to that, and therefore when Prince Metternich satisfied himself that Cracow was only an atom—"a geographical atom"—he could not recognise that as an element which ought to affect faith in keeping a treaty; but when the independence of that State was guaranteed in four or five separate articles of the Treaty of Vienna, it showed great laxity of principle to put an end to the liberty of its inhabitants; and the word of honour of a statesman who could advise its annexation was not worth the paper on which it was written. He would say, too, that the word and honour of a man who, in violation of the Treaty of Vienna, advised the annexation of Cracow, was not worthy of consideration. It appeared that on the 11th of November, the Austrian Government published to the world, a declaration on the subject of Cracow, which contained the following passages:—

> "The State of Cracow has of its own accord, and without being thereunto driven by any foreign material force, precipitated itself into the gulf of the vast conspiracy which, having for its object to re-establish the former revolutionary Government, was to have directed the measures by which this enterprise was to have been carried into effect."

Now there was not one word of truth in that statement on the part of Austria, as Lord Palmerston completely demonstrated in his able answer. Indeed, after reading that answer of the noble Lord, no man within the walls of that House would believe that there was one word of truth in the paragraph which he had quoted. The next paragraph which he would quote from that declaration of Austria, was of a similar character; it was—

> "In direct violation of treaties, those Poles, subjects of the Three Powers, who had been imprisoned in the revolution of the kingdom of Poland, and who wished to find an asylum in the territory of Cracow, were received. and their machinations protected and supported."

Of that paragraph he might say, as he said of the former, that it did not contain one word of truth. By the Treaty of Vienna, the State of Cracow was bound to deliver up on requisition all persons who engaged in political conspiracies against the States which were parties to the Treaty; but in the case of Cracow no requisition for the delivery of such conspirators was made, and no conspirators were delivered up, for there were none to deliver. These were the futile pretences on which the Governments engaged in the suppression of the free State of Cracow acted. The declaration went on to state, as would be seen at page 35, that—

> "The Courts of Austria, Russia, and Prussia, having under these circumstances to deliberate as to the measures to be adopted by them in order to prevent the recurrence of events similar to those which have lately taken place, have been unanimously of opinion that the political body created in 1815, and destroyed by the revolution itself, has been productive of results too fatal to the maintenance of peace; that it has shown itself too incompatible with the condition of the internal tranquillity of their own States, and with the maintenance of the principles of general peace, to render it possible for them to reconstruct it."

The noble Lord (Lord Palmerston) the Secretary of State for Foreign Affairs, with his great talent, pointed out clearly how erroneous those grounds were, and truly said that if there were any danger to be apprehended from the State of Cracow, it was not for only three parties to the treaty to take upon themselves to annul that free State; that the other Powers parties to the treaty ought to have been consulted; and that measures might then be taken to prevent the recurrence of a state of things in Cracow similar to that which had been complained of, if such a state of things existed. If residence had been afforded to conspirators in Cracow, the Allies would be warranted in preventing it; but it did not follow that three out of eight or nine parties to the Treaty of Vienna should destroy the independence of Cracow without the consent of the other parties, and without the sanction of any law or custom amongst civilized nations. The noble Lord (Lord Palmerston) said that the laws of Cracow and its police regulations might be modified, in order to prevent mischief arising from conspiracies, or the presence of strangers, if such mischiefs existed; but no modifications were proposed, and they were not proposed for the reasons which he (Mr. Hume) had already stated—namely, that there were no conspirators, and therefore, the annexation was founded on injustice. Lord Palmerston, in his answer to the declaration, also said—

> "It is alleged that Cracow has long been, and if it remains independent will still continue to be, the centre of intrigues, having for their object the disturbance of the tranquillity of adjoining territories; and the question is in what degree the present political condition of Cracow affords facilities for the carrying on of such practices. Now such intrigues and plots must be carried on either by strangers coming to Cracow, or by the native inhabitants themselves. But no stranger can reach Cracow except by traversing a vast extent of territory belonging to one or other of the Three Powers; and it is difficult to imagine that any Polish exile, or any conspirator from any foreign country, could so far elude the vigilance of the police of the Power whose territory he would have to pass through, as to be able to penetrate to Cracow. The population of Cracow is not large in number; and not only would the arrival of a suspicious stranger amongst them be quickly known to the police, but it would be scarcely possible for such a stranger or for any resident inhabitant of the State, long to carry on a correspondence with the people of neighbouring districts for the purpose of exciting disturbances therein, without such correspondence coming to the knowledge of the Government, and through them to that of the three residents."

And the noble Lord proceeded to say, that, if necessary for this purpose, the police regulations and the laws of Cracow might be made more stringent, without destroying the independence of the State; and then added—

> "It is no doubt the duty of Cracow to give to those Powers such security; for freedom and independence were given to Cracow for the well-being and happiness of its own people, and not in order to enable that people to create disturbances

and confusion in adjoining countries. It appears, then, to Her Majesty's Government that no sufficient proof has yet been given to show that full security might not be afforded to the internal tranquillity of the territories of the Three Powers, without destroying the separate and independent existence of the State of Cracow. But Her Majesty's Government must, at all events, deny the competency of the Three Powers to decide upon, and to execute, such a measure of their own separate authority, and without the concurrence of the other Powers who were parties to the Treaty of Vienna, of June, 1815. There is no doubt that the erection of Cracow and its territory into a free and independent State, together with many of the details of its organization, are matters which were first recorded by the Treaty of the 3rd of May, 1815. But that Treaty merely recorded one part of the various arrangements made by the general Congress of Vienna; and it was by Article 118 of the general Treaty declared to be an integral part of the arrangements of the Congress of the European Powers, and to have everywhere the same force and value as if it had been inserted word for word in the general Treaty.

"But besides this, the leading stipulations about Cracow which are contained in the separate Treaty of the 3rd May, concluded between the Three Powers, are inserted, word for word, in the general Treaty to which all the Powers are parties, and those stipulations constituted the Articles 6, 7, 8, 9, and 10, of that general Treaty. . . . . . For these reasons, Her Majesty's Government are of opinion that the execution of the intentions which the Three Powers have announced, would be a measure justifiable by no adequate necessity, and would involve a violation of positive stipulations contained in the general Treaty of Vienna; and Her Majesty's Government, deeply impressed with the conviction that it is above all things important that the engagements of treaties should at all times be faithfully observed, most earnestly hope that means may be devised for guarding the territories of the Three Powers against the dangers adverted to in their identical communications without any breach of the Treaty of 1815."

He (Mr. Hume) hoped, after reading these extracts, no difficulty would be found in showing that the annexation of Cracow was a direct violation of the Treaty of Vienna. One might have expected that a nation like Austria, who owed so much to the efforts of England—but for whose large expenditure of blood and money all the German States, with Austria, would have been slaves to the military government of Napoleon—would have behaved differently. In her last struggle, England had incurred no less than 600,000,000*l*. of debt, with a view to secure the liberties of the Continent of Europe; and there could be no doubt that the Continental States owed their independence to the exertions of England. It appeared to him, therefore, to be insulting beyond anything, that they should have acted in the manner which they had done. He would next notice the declaration made by the Emperor Ferdinand of the 11th November last—

"We accordingly, by these presents, take possession of the city of Cracow and of its territory, such as it has existed up to the present time, unite it to our Crown, and declare it to form an integral portion of our empire, in which we incorporate it henceforth."

He asked if that was not an infraction of the Treaty of Vienna, and if it did not set aside the whole of the Treaty? If that was not sufficient to induce Her Majesty's Government to take decided steps, he knew nothing that could make them. To show the House, however, what views he took on this question, he was disposed not to make a simple protest—for what did people who had violated such obligations care for protests? Nothing of that kind would do for them, and therefore he was disposed to deal with them in a stronger manner, and he trusted that the Commons of England would support him. They would be very much blamed if, when it was in their power to show their displeasure at the conduct of the Northern Powers, they did not manifest it in a manner not to be mistaken. He had been asked that morning, "Do you wish to go to war?" and his answer was, "No, I do not wish for war; I am a man of peace; but having it in our power, by a legislative enactment, to say whether we shall continue to pay a sum of money in pursuance of stipulations contained in the Treaty of Vienna, we ought not to allow one portion of the bargain to be broken, and keep the other." It appeared to him to be quite clear, that if Russia had not kept to the bargain made on her part, we were liberated from the payment of the money. With that view, therefore, he proposed to submit to the House four resolutions, the fourth being, in his view, the most important. The Speech from the Throne might satisfy any hon. Member that the violation of the Treaty of Vienna had been complete; but the House of Commons required that certain forms should be observed, and he had therefore prefaced the fourth resolution by three others. The whole Treaty of Vienna was framed and carried out with a view of maintaining the balance of power, in order that it might be the basis of a permanent peace; and no country, under any circumstances, at any time, ever made so many sacrifices for the great object then contemplated as Great Britain then did, giving up everything herself, and showing the greatest disinterestedness.

It was important, therefore, to look at the grounds on which this treaty was based, and to consider whether, if any of its stipulations were violated, the whole treaty did not fall to the ground. He admitted that he was one who had always objected to that treaty. He was anxious for peace, because, after twenty years of war, no one could fail to see the evils which must arise from its continuance; and on that account he was as anxious to see the treaty concluded as any man who was a party to it. But there were stipulations in the Treaty of Vienna to which he had always objected. Up to the day on which that treaty was concluded, England stood free from the disgrace to which all were subjected who had been parties to the partition of Poland. He would remind the House of what had taken place with respect to Poland in 1772, in 1793, and again in 1795. In 1772, Poland lost 3,600 square miles of territory, and 6,356,000 inhabitants; in 1793, 6,000 square miles of territory, and 7,100,000 persons; and again, in 1795, 4,593 square miles of territory, and 6,500,000 persons. Thus, on the whole, a population of 20,000,000 of persons, and 14,000 square miles, were divided among Prussia, Russia, and Austria. Up to the time of the Treaty of Vienna, England was innocent of the guilt of that partition; but she participated in it by the arrangements which were then made at Vienna by the assembled Powers. When the House considered the sacrifice of honour that England made by her concurrence in that partition and unholy robbery, it was not too much to say, that we were as bad as the robbers ourselves. It was on that ground he had always considered that if ever a treaty was carried out, it ought to be carried out by those for whom we had made such great sacrifices, and that they should make us some reparation. He could not look at Austria without considering that she was guilty of the grossest ingratitude. In the days of her greatest trouble, when Napoleon was at the gates of Vienna, and she had no means of raising money, this country came to her assistance, and accommodated her with two loans, which enabled her to make head against her enemies. The Emperor of Austria had a very short memory; but he ought to be reminded that in 1822 we had received, out of a debt owing us by Austria of 17,500,000*l.*, but 2,500,000*l.*; and that in that year the country sanctioned a vote whitewashing the Austrian Government. Shame ought to be on their foreheads in whatever place they went, when they paid no attention to the remonstrances of England after so much liberality. He was anxious, however, that it should not by any means be considered, from what he had stated, that no violation of the Treaty of Vienna had taken place before. He looked to the general Treaty of Congress, signed at Vienna on the 9th of June, 1815, and he saw there the signatures of Austria, France, Great Britain, Portugal, Prussia, Russia, and Sweden—every great European State, in fact, except Spain, that omission arising from the circumstance of there being no representative from that country at the Court of Vienna at the time. He believed that we gave a million of money to Denmark, and sanctioned the robbery that was then committed by giving Norway to Sweden instead of Denmark, to which Norway belonged. He had read with very great pleasure a letter written by Lord Castlereagh, whom he had always previously considered a very cold-hearted man, in which he said that nothing had ever given him more pain than to take Norway from Denmark and give it to Sweden. We made ourselves a party to that crime. To return, however, to Cracow. Lest there should be any hon. Member who had the least doubt on the subject, he would allude only to two paragraphs of the additional Treaty relative to Cracow, between Austria, Prussia, and Russia. of the 21st of April, 1815, which, by the 118th Article of the Treaty of Vienna, was declared to have the same force and validity as if it had been inserted in the general treaty. This, therefore, formed part of the Treaty of Vienna, and the 6th Article of the additional Treaty ran thus:—

> "The three Courts engage to respect, and to cause to be respected at all times, the neutrality of the free city of Cracow and its territory, and no armed force shall enter it under any pretence whatsoever. On the other hand, it is understood and expressly stipulated, that the free city and territory of Cracow shall not afford any asylum or protection to runaways, deserters, or persons under prosecution, belonging to the countries of either of the three contracting Powers, and that, on the demand of their surrender by the competent authorities, such individuals shall be arrested without delay, and delivered up, under a proper escort, to the guard appointed to receive them at the frontier."

The noble Lord had very properly stated in his despatch that no such requisition was made; and it would not be until after the Senate of Cracow had refused to deliver up such persons that Cracow could be in justice visited with the penalty which the Three Powers had inflicted upon that city. The occurrence to which he was now calling the attention of the House was not the first violation of the Treaty of Vienna that had been committed by the Three Powers. The First Article of the Treaty of Vienna provided, that Poland should be united to Russia "by its constitution;" and the Emperor Nicholas, on his accession to the throne in 1825, took the following oath:—

> "I swear and promise before God, and upon the holy Evangelists, to maintain and execute to the utmost of my power the Constitutional Charter."

Now, what had been the result? By that constitution, the liberty of the person was guaranteed; but Constantine, without even the form of a trial, condemned numerous inhabitants of Warsaw, and degraded many of the most eminent amongst them to clean away the dirt in the streets; and even members of the Diet were imprisoned for uttering opinions delivered by them in their official capacity. The liberty of the press was also guaranteed by the constitution; but the liberty of the press did not exist even for a single day. The moment Russia took possession of Cracow under the stipulations of the Treaty of Vienna, the liberty of the press was destroyed. He (Mr. Hume) must here observe that he thought the opinion expressed by the late Lord Castlereagh on this subject did him great credit. That noble Lord, in alluding to this provision of the treaty, said that he considered the liberty of the press essential to the protection of public liberty. He (Mr. Hume) was of opinion that we ought long ago to have protested against these breaches of the treaty; and it was alleged that protests were made, in 1830, by the late Earl Grey. He wished the noble Lord (Lord Palmerston) would lay those protests on the Table of the House. He publicly asked for their production at the time, but he was unable to obtain them; and why, he would ask, were they not produced? Why was not the conduct of those wretched men—the tyrants of their people, and the violaters of treaties—laid open to the public in all its deformity and wickedness? He thought, when they saw how utterly reckless the Emperor of Russia had been in his violations of the Treaty of Vienna, that they ought to learn wisdom by experience, and abandon all connexion with such faithless and unprincipled men. We ought to stand alone, and not participate in their wickedness. The Emperor of Russia had violated all his promises with respect to Poland. The Poles had been promised the right of agreeing to a budget, and they had been promised that the Diet should be assembled at least once in four years. This had not been done. He wanted to show that a deliberate violation of the Treaty of Vienna was not confined to the case of Cracow. It had been stipulated by Russia that Russian troops should not be introduced into Poland, except upon particular occasions, and that then they should be supported at the expense of Russia. But the ink of the treaty was scarcely dry, before 10,000 Russians were marched into Poland, and permanently quartered at Warsaw. Those troops were maintained chiefly by the inhabitants; England stood by and allowed that outrage to be committed. In 1832, the constitution of Poland was formally abolished, and replaced by an organic statute. Since that time the Government of Russia had not ceased to oppress the people of Poland, by the confiscation of numerous estates; by transporting hundreds of wretched creatures, for political offences, to the deserts of Siberia; by carrying off great numbers of children into the interior of Russia, in order to bring them up as Russians; by the forcible transplantation of families to the military colonies; by excessive levies of recruits destined to perish in the Caucasus; by intolerable taxation; by the suppression of universities and spoliation of public and private libraries; and, above all, by the appropriation of the revenues of the national church to the purposes of another creed; and by an unrelenting system of persecution on account of religion. The Bishopric of Cracow, the maintenance of which had been guaranteed, had also been abolished; and he thought, under these circumstances, he might fairly claim the vote of the hon. Member for Oxford (Sir R. Inglis), who had evinced so much interest on behalf of ecclesiastical and academical institutions in this country. There had, however, been many other violations of the Treaty of Vienna. The first article of that treaty stipulated that the Poles who were respective subjects of Russia, Austria, and Prussia, should obtain a representation, and national institutions. Now we, who enjoyed all the advantages of a representative system, would have rejoiced at the extension to Poland of so valable an institution; and as we were parties to the treaty which held out hopes to the Polish people of such a boon, he considered that we were bound to expose the injustice of its violation. Prussia had granted to her Polish subjects a national representation, although, perhaps, not a very effective one; Austria had granted that which could only be considered as the pretence or shadow of a representation; Russia, however, had not conceded to her Polish subjects (except to that small portion inhabiting what was called the kingdom of Poland) any representation whatever, or even the semblance of one. Nay, Russia had even forbidden them the use of their own language. He thought the atrocity of Russia was fully shown by these facts—that she had robbed the Poles of their public institutions, that she had forbidden them the use of their language, and had interfered with their religion. He begged to observe, that some of the statements with reference to the conduct of Russia contained in two of the letters of the late Lord Castlereagh, well deserved the attention of the House. Having noticed the advances which Russia had made towards Prussia, by Poland, and the encroachments she had made on the south-east, in Moldavia, Wallachia, and Bessarabia, the noble Lord cautioned the Emperor of Russia to be careful, lest, by proceeding too far, he might excite jealousy and alarm. Lord Castlereagh then referred to the various arrangements and allotments of territory which were made under the Treaty of Vienna. Why was all this done? In order, as was professed, that the balance of power in Europe might be preserved, and that permanent peace for the advantage of all Europe might be established. If they were to permit the stipulations of the treaty to be violated—to be torn away piecemeal—of what use was it to have the treaty at all? By these late proceedings, the legal sanction given by the Congress of Vienna to the settlement which it guaranteed, was gone. The partition of Poland was no longer legal. It was no longer legal, because the parties had violated the stipulations of the treaty under which it took place. All Europe was liberated from the yoke of the Treaty of Vienna. Every State, every country, was at liberty to assert its own independence. The recent proceeding had accomplished that. Poland had a full right to reassert her own freedom; and he knew no reason why the same rule should not prevail on the Rhine, the Po, and the Danube. He saw no reason why the States partitioned by the Treaty of Vienna should not be restored to their old proprietors. When rogues quarrelled, honest men came by their own. In this case, the rogues had quarrelled; and, therefore, honest men might expect a restoration of what belonged to them. Could the people of Austria, Russia, and Prussia, have any confidence in their Governments? Was it not the duty of every individual to assert his rights, always supposing he had the power? He would not advise him to anything of the kind, if he had not. But he repeated, that by the violation of the Treaty of Vienna the people were absolved from their allegiance; and the day might come when the twenty-two or twenty-three millions of Poles would be roused either for or against us. What had occurred had taken from every small State its security. It rendered physical force the rule of the day; and if physical force were to be the rule of the day, he should be glad to know what was to be the consequence. Many might not think, but he thought—and hon. Members might differ from him—but he repeated, he did think that the suppression of the State of Cracow destroyed every pretext of European law. There was no international law which could now be maintained in Europe. The effect of treaties was gone; let every man who might answer him assert to the contrary. Those proceedings had destroyed the security of the peace of Europe. They formed the first step to still further changes. Let hon. Members read the correspondence which had taken place relative to Switzerland, between that Government and those of Austria, Prussia, and Russia. How they could dare to be so impudent—if he knew any stronger word he would use it—how they could dare to be so impudent he knew not, as to assert, as Austria, in a note agreed to by the other Powers, had asserted, that—

> "The Austrian Court respects the authority which Article 10 of the Federal Compact has appointed to direct the affairs of the Confederation. The Austrian Court, faithful to its international obligations" (the annexation of Cracow, for instance), "as well as to its feelings of sincere friendship for Switzerland, will constantly endeavour to cultivate its relations with the Confederation through the medium of this authority, so long as the basis from which the power given to the Directory for the time being emanates, and by virtue of which that power is at present exercised by Berne, shall not be invaded in its essence or violated in its spirit."

Now, this basis was no other than the federal compact of the 7th of August, 1845; and he thought that three Powers, less warranted in making such a declaration, had never appeared before any criminal judge in the world. The proceedings in reference to Cracow were but the commencement of evil: they led to the most imminent risk of a breach of the general peace; and seeing the sacrifices made to obtain that peace, he did say that when such encroachments as these had taken place—encroachments so glaring that Her Majesty was compelled to take notice of them in her Address to the House—he did say that it was time that the Legislature should express, in language not to be mistaken, their detestation, their abhorrence of such practices, and their determination never to sanction or countenance them. They trampled upon all nationalities. They set all treaties at defiance. And he repeated, that at the least they ought to manifest their abhorrence, so far as they could, by stopping the payment of money only due under those treaties. Before proceeding, however, to this part of the subject, he might be allowed to say a few words on what had fallen from the noble Lord opposite (Lord G. Bentinck) with reference to the act of the annexation of the city of Cracow. The noble Lord stated that the inhabitants, to mark their joy and satisfaction at the event, had indulged in all manner of festive proceedings—in music, dancing, bonfires, and so forth. Now, he could assert, on the authority of documents coming directly from Cracow, and for the authenticity of which he would pledge himself, that such was anything but a correct statement of what had occurred. The writers of the letters in question stated, that it was utterly false that Cracow had ever been a focus of revolution, and that arms or warlike ammunition had ever been collected there; and then they went on to state that the citizens were utterly unable to make the slightest resistance to the military force which had interfered with them, and consequently that the demonstrations alluded to were demonstrations of the parties who were the aggressors, not those who were aggrieved. To return to the main subject. In order to be able to ask the House to agree to his fourth resolution, he must show that the money we had so long paid to Russia we were not bound longer to pay. By the Fourth Article of the Treaty of Vienna, an agreement was entered into between England, Russia, and Holland, respecting the Russian-Dutch loan, borrowed by Holland from Russia, and payable upon two conditions. So long as Belgium should continue to remain a portion of the Netherlands, we bound ourselves to pay in a certain proportion upon the capital of the loan, until the whole should have been cleared off. Upon the ratification of this treaty, Parliament passed an Act, the 55th of Geo. III., to enable the Government to carry its stipulations into effect, and the money was accordingly regularly paid until 1831. It was known to hon. Members, that, in 1830, the revolution in Belgium separated that country from Holland, and that that revolution was one which we supported and sanctioned. As he had stated, we continued to pay the money until 1831. He had then objected to the continuance of that payment. He then told them that they were paying money which they had no right to pay; and he said that he would show that by the original Treaty of 1815 they were absolved from continuing their payments. The Government of the day objected to his proposition, but they were ultimately obliged to bring in an Act to carry out the new convention which was then made. This convention was made betwixt Russia and England. Holland had nothing to do with it. She was out of the question. What then did that convention say? It stated that its object was to render the spirit of the Convention of 1815 more consonant than it had come to be to the then existing state of things, and went on to state that the object of the Convention of 1815 was—

> "To afford to Great Britain a guarantee that Russia would, on all questions concerning Belgium, identify her policy with that which the Court of London had deemed the best adapted for the maintenance of a just balance of power in Europe; and, on the other hand, to secure to Russia the payment of a portion of her old Dutch debt, in consideration of the general arrangements of the Congress of Vienna to which she has given her adhesion—arrangements which remain in full force."

Now, he asked the House—such being the case—the stipulations being just as distinct as those of the former treaty—he asked the House to set aside the second as they had set aside the first convention. Russia had violated her engagements. Ought she to be allowed to profit by her own faults? He did not bring forward these opinions on his own unsupported authority: a learned civilian had already stated his views upon the subject—had already declared that in his opinion we were absolved by international law from the necessity of continuing our payments.

There might be ground for the Government to say that there existed political reasons why we should continue to pay. But then we should need another Act of Parliament. It was impossible that we could continue our payments under the present law. He was indebted to the hon. and learned Member for Kinsale (Mr. Watson), who was prevented from being present, for some extracts bearing upon the subject from Vattel. The clear opinion of his hon. and learned Friend was, that no legal claim for a continuance of payment existed, and that no such continued payments ought to be made, unless indeed they were warranted by peculiar political reasons. The extracts from Vattel entrusted to him by his hon. and learned Friend, went to prove that articles of treaties should not be construed as so many distinct and separate treaties—that they were all linked together—and that an infraction of one, injured the validity of the whole. Vattel said—

> "The party, therefore, who is offended or injured in those particulars which constitute the basis of the treaty, is at liberty to choose the alternative of either compelling a faithless ally to fulfil his agreements, or of declining the treaty dissolved by his violation of it. . . . . We cannot consider the several articles of the same treaty as so many distinct and independent treaties; for, though we do not see any immediate connexion between some of those articles, they are all connected by this common relation, namely, that the contracting Powers have agreed to some of them, in consideration of the others, and by way of compensation."

No doubt, the Treaty of Vienna was framed expressly upon that principle. We disliked some of the articles of that treaty, but we accepted them because we obtained others which we approved of; and it was not impossible that each of the contracting parties was influenced by the same motives. If, therefore, the treaty was violated in one article, it became altogether null and void. *Martin's Law of Nations* contained a passage which was worthy of the attention of the House:—

> "If of many treaties between two contracting Powers, one should happen to be violated, the others do not, on that account merely, cease to be obligatory; but since the perfect right of the injured party allows him to violate the perfect rights of the other party till he has obtained due satisfaction, a Power that justly complains of the violation of one treaty, may, by way of retaliation, successively transgress another treaty even so far as to declare forfeited the rights resulting to the other party from such treaty."

It was on that principle that the Treaty of Vienna had been framed and agreed to. There were portions of it to which we entertained objections; and were any stipulation broken, the whole treaty would be violated. The Russian-Dutch loan had been regularly paid from 1816 until 1846—during that period the sum total of our disbursements amounted to no less than 3,374,000*l.*—a pretty fair amount from a distressed country—intended, too, to be continued during the next financial year, when they had only an estimated surplus of 60,000*l.* to calculate upon; and, worse still, to be continued in the face of a flagrant violation of the treaty under which it was originally made payable. He had put his view of this part of the case in his third resolution, which was as follows:—

> "That the Convention of the 16th day of November, 1831, between His Majesty the King of Great Britain and Ireland, and the Emperor of all the Russias, was made to explain the stipulations of the Treaty between Great Britain, Russia, and the Netherlands, signed at London on the 19th day of May, 1815, and included in the Treaty of Vienna; and, by that Convention, it was agreed by Great Britain 'to secure to Russia the payment of a portion of her old Dutch debt, in consideration of the general arrangements of the Congress of Vienna, to which she had given her adhesion; arrangements which remain in full force.'"

He had, he thought, step by step, shown what aggressions had been made, until we had arrived at our present situation. It had been his object—and he hoped he had succeeded in effecting it—to bring under the consideration of the House the present position of the question—to show the sacrifices which had been made by England up to 1815—to show that the object of the Treaty of Vienna was to establish the balance of power in Europe—to show that seventeen treaties were included in the Treaty of Vienna, by one of which it was stipulated that Cracow was to remain for ever a free city—to show that the act which Russia, Prussia, and Austria had perpetrated with respect to Cracow was a flagrant violation of that treaty. These were the objects which he had in view, and he hoped that he had succeeded in effecting them. He had referred the House to Lord Palmerston's opinion, on the Table, to the effect that the conduct pursued towards Cracow was a violation of the Treaty of Vienna, and an injury done to this country. Russia had withdrawn her adhesion from the treaty—then, let the British Government withdraw from the payment of the loan. Russia had broken all her engagements with us: why, then, should we continue to uphold ours with her? It was the duty of that House to give weight to Her Majesty's protest, and to strengthen the hands of Ministers. Oh! he wished that Ministers had the moral courage not to be frightened by Russia; he wished they had the moral courage to act rightly, and to relieve the people of this country from the payment of any more money to Russia. By acting in that manner, they would relieve themselves from the degradation of remaining quiescent under an act of injustice, and would show the civilized world that, as far as lay in their power, they would not suffer the infraction of a treaty. The hon. Member concluded by submitting the following resolutions:—

> "1. That this House, considering the faithful observance of the General Act of Congress, or Treaty of Vienna, of the 9th day of June, 1815, as the basis of the peace and welfare of Europe, views with alarm and indignation the incorporation of the free City of Cracow, and of its Territory, into the Empire of Austria, by virtue of a Convention entered into at Vienna, on the 6th day of November, 1846, by Russia, Prussia, and Austria, in manifest violation of the said Treaty.
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> "2. That it appears, by Returns laid before Parliament, that there has already been paid from the British Treasury towards the principal and for the interest of the debt, called Russo-Dutch Loan, between the years 1816 and 1846, both inclusive, the sum of 40,493,750 florins, equal to 3,374,479*l.* sterling money; and that the liquidation of the principal and interest of the remaining part of the loan, as stipulated by the Act of 2 and 3 Will. IV, c. 81, will require further annual payments from the British Treasury until the year 1915, amounting to 47,006,250 florins, equal to 3,917,187*l.*, sterling money, making then the aggregate payment 7,291,666*l.*, and the average, for each of the hundred years, of 72,916*l.*
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> "3. That the Convention of the 16th day of November, 1831, between His Majesty the King of Great Britain and Ireland and the Emperor of all the Russias, was made to explain the stipulations of the Treaty between Great Britain, Russia, and the Netherlands, signed at London on the 19th day of May, 1815, and included in the Treaty of Vienna; and, by that Convention, it was agreed by Great Britain 'to secure to Russia the payment of a portion of her old Dutch debt in consideration of the general arrangements of the Congress of Vienna, to which she had given her adhesion; arrangements which remain in full force.'
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> "4. That this House is, therefore, of opinion, that Russia having withdrawn that adhesion, and those arrangements being, through her act, no longer in force, the payments from this country, on account of that debt, should be henceforth suspended."

VISCOUNT SANDON was happy in being able to second the hon. Member's Motion, although he could not go the length of endorsing every expression which the hon. Member had used. Some of the expressions which the hon. Member had employed, with respect to Powers with whom we were on terms of friendly alliance, were hardly consistent with the courtesy which was due to them under those circumstances. At the same time, he felt that the hon. Member was so far right, in the main object which he had in view, in bringing the question under the notice of the House, that he (Lord Sandon) felt himself fully warranted in rising to second the Motion. Perhaps the most remarkable feature in the whole transaction was the undisguised consciousness which the Three Powers betrayed that they were engaged in a proceeding which could not be justified in the face of the world. From the beginning they were anxious that their movements should be concealed from the observation of the European Powers, especially of France and England. There was a constant endeavour on the part of the Three Powers to keep the other Powers, with whom they were in alliance, in the dark as to the course which it was their intention to pursue towards Cracow. As soon as it became notorious that the Three Powers meditated something with respect to Cracow, the matter, of course, became the subject of communications to our Government from the British agents established at the various continental Courts; and in the earlier of those communications it was evident that the impression conveyed to the mind of those functionaries was, that the Three Powers had no intention of doing anything else than effecting such modifications in the political existence of Cracow as would suit the altered circumstances of the time. In proof of this, he begged to call the attention of the House to the following passage in a despatch from the Earl of Westmorland to the Earl of Aberdeen, dated Berlin, April 1, 1846:—

> "The Chargé d'Affaires of France, M. Humann, has communicated to me a despatch which he has received from M. Guizot, and which he is directed to lay before Baron Canitz, in which he expresses his conviction that the Prussian Government will act with clemency towards the persons engaged in the late conspiracy in Poland, whenever the opportunity of so doing is afforded them; and that the independence of the State of Cracow, such as it was established by the Treaty of Vienna, will not be broken in upon. M. Guizot states that upon this latter point he has already received the assurances of the Governments both of Austria and Prussia."

The next despatch, from the Earl of Westmorland to the Earl of Aberdeen, communicated the result of a communication which he had held with the Prussian Minister for Foreign Affairs. His Lordship said—

> "The remark he stated to me that he made

upon it was, that he had not authorized any declaration to be made as to the future conduct of his Government with respect to the affairs of Cracow, either by the Marquis de Dalmatie or by the Prussian Chargé d'Affaires at Paris; there was, therefore, some misapprehension in that part of M. Guizot's letter which alluded to it; at the same time he was ready to admit that the present military occupation of the State of Cracow ought not to be continued beyond the time that it should be considered necessary for the maintenance of the peace and tranquillity of that State and of the countries around it. With respect to the future government to be established in Cracow, it was now quite impossible to form an opinion."

That still left the matter in obscurity, and no distinct impression was conveyed to the mind of the British Minister as to the intention of the Allied Powers with respect to Cracow at that period. In the Earl of Westmorland's despatch on the 17th of April, something was more distinctly stated on the subject. His Lordship said—

> "General Canitz has stated to me, that as soon as the proceedings against the prisoners in Cracow have been completed, the question of the establishment of the government of the State of Cracow will be entertained, and the proposals of the three protecting Powers upon that subject referred to the allied Governments of England and France; but that they will be such as are entirely in accordance with the stipulations of the Treaty of Vienna, to which Prussia will most rigidly adhere."

There, at least, was no absurdity; nothing could be more positive than the assurance given by the Prussian Minister for Foreign Affairs to our Ambassador, that there should be no infraction of the Treaty of Vienna; and yet Prussia subsequently cooperated in suppressing the independence of Cracow! Another observation arose out of that passage: it was evident that the impression on the Prussian Minister's mind was, that everything which concerned Cracow was a matter of peculiar interest, not to the Three Powers alone, but to the whole of Europe. It was taken for granted that the question of the future government of Cracow must be referred to England and France. This showed that the pretence subsequently advanced as to the affairs of Cracow being properly a matter of private arrangement between the Three Powers, with which the rest of Europe had no concern, was resorted to in mere hopelessness of being able to satisfy England and France of the justice of the proceedings in which those Three Powers were engaged. The Earl of Aberdeen's despatch, of the 25th of June, to our Minister at Warsaw, showed the impression made upon his mind by the information which he had received:—

> "In the present stage of the business, then, and until something positive shall have occurred which is calculated to throw a light on the future intentions of the Three Powers more immediately concerned in the affairs of Cracow, Her Majesty's Government will suspend their judgment, and abstain from active interference on behalf of that republic. Whenever the intended proceedings of the Three Powers shall be more certainly known, or may be more correctly conjectured, Her Majesty's Government will be prepared to act in such a manner as the circumstances of the case and the obligations of existing treaties may seem to require."

It was quite clear, therefore, that the impression on Lord Aberdeen's mind at that time, drawn both from consideration of the treaty itself, and the communications from the representatives of England at those Courts, was that all the parties to the Treaty of Vienna should be consulted before the final decision as to the State of Cracow should be made. Indeed, the last communication from Sir R. Gordon, dated the 14th of August, was the most important as to the impression produced by what passed between the Ministers of the Three Powers:—

> "Excepting this, I do not believe in the existence of any conferences. But if there exists, generally, on the part of Austria, Russia, and Prussia, a disinclination to confer freely with British and French authorities upon the question of Cracow, it proceeds not, in my opinion, from any intention in these Powers to violate the act of the Congress of Vienna which guaranteed the independence of that republic; but rather that they have not as yet themselves determined to what extent their interference may be required in preventing the State of Cracow from becoming again a focus of insurrection in respect of the adjoining provinces under their dominion."

From that period an ominous silence prevailed, and doubts arose in the minds of the foreign representatives as to what the result of that silence would be. At last, after three months' suspense, a formidable despatch appeared, containing a laboured attempt on the part of Prince Metternich, by means of great detail, to establish two points—the first, that Cracow had forfeited all title to independence; the second, that none but the contiguous and protecting Powers had any right to be consulted in the decision. These points had been well reasoned by the Ministers of France and England in the papers he held in his hand; and it certainly was not unnatural that the House of Commons should have taken an early opportunity of expressing its acquiescence with the Government on this question. The pretence that it was a mere particular and special matter, a kind of domestic question, which the other

Powers of Europe had no right to consider, was the most extraordinary part of the whole transaction. It seemed strange that the protecting Powers should have thought Europe had forgotten all that passed with respect to the affairs of Poland in the great diplomatic discussions at the Congress of Vienna. The settlement of Poland was one of the most difficult and critical points in all the arrangements of the Congress. The question was not then considered a peculiar and separate affair, concerning only the three protecting Powers. So far from it, the arrangement claimed by Russia was on the point of setting all Europe in the flames of war in the months of December and January. The records of the negotiations proved that all the great Powers of Europe were called on to consult on these points. The proposal of Count Nesselrode, on the 31st of December, with regard to the duchy of Warsaw and the adjacent territory, proves the arrangement to have been one of common concern; it was not made to Austria and Prussia alone, but to Austria, Prussia, and Great Britain; the independence of Poland was one of the stipulations expressly submitted to England. After that, how was it possible the protecting Powers could consider it a mere matter of peculiar and separate arrangement, with which the rest of Europe had no concern? It was clear to any one who had read the interesting correspondence between Lord Castlereagh and the Emperor Alexander, that the arrangement was one of the deepest importance to the whole of Europe, and was never considered a matter of separate adjustment. And the Powers immediately affected had no right to pick out a petty corner of the transaction and say, "this is of no importance," without consulting the other parties, that they might at least express an opinion as to that importance. They were told that other changes had been made in the articles of the Treaty of Vienna; there certainly had been such changes, the most important of which was the separation of Belgium from Holland. But what was the course then pursued? The independent existence of Belgium was not considered a settled thing, till all the five Powers agreed to it; Belgium was not admitted to the great court of European nations, till the whole of the five Powers had been consulted upon it. As to the extent of Cracow as a State, the importance of the question was not to be measured by geographical surface, or the number of souls; its importance was political, not material; it must be regarded as part of a great transaction which was intended to preserve the idea of Polish nationality, and prevent what had been called the "palpitating fragments" of the body of Poland merging their vitality into the great masses with which they had become connected, and by so much adding to the strength of those Powers, and increasing their ability to continue their aggressions on the rest of Europe. As to the right, then, of England and France to be parties to the consultation, it was unnecessary to press it further; it was evidently the opinion of the Minister of Foreign Affairs for Prussia, till he was admitted into the plot; it was the natural impression of all the statesmen who had anything to do with the transaction. Whether Cracow had, or had not, forfeited her right to the modified independence she possessed, was a question rather difficult to discuss. The language of the noble Lord (Lord Palmerston) was very strong on that point. It was impossible to conceive that in a population of 30,000 or 40,000 souls planted in the midst of such empires as Austria, Russia, and Prussia, measures of police would not have effectually prevented the evils those Powers said they experienced. If the sedition was not suppressed, it was impossible not to think it must have been allowed to grow to a head for the purpose of destroying the last remains of the independence of Poland. It was possible some inconveniences might have arisen; but it seemed to him those great Powers had been guilty of that with which the noble Lord was once reproached—neglecting the great policy for the small. To avoid some petty inconvenience of measures of police, to avoid the necessity of employing a few troops round the frontier, they had engaged themselves in a transaction which had shaken the general faith in the stability of treaties, and produced inconveniences far more serious than any they might have sustained from the former measures. It was impossible to deny the mischief of this transaction, without recurring to former discussions on the state of Poland; it was impossible to deny that the general stability of Europe was shaken by this transaction. On the public mind of Europe, it had the effect of the first great invasion of the Treaty of Vienna; whether they argued rightly or not, people had lost confidence in that arrangement by which, during the last thirty years, the general peace of Europe had been maintained.

The consequences of this step would inevitably be felt by all the smaller States of Europe. They were only protected by the general feeling of respect for engagements, for independence, and for public opinion: and the present transaction had shaken all that confidence, and made everybody feel that they had henceforth to trust in their own strength alone, and not in respect for treaties which could be thus lightly broken. The latter part of the resolution of the hon. Member for Montrose, was one respecting which he did not feel so confident; although he should be glad to hear the opinion of the Secretary for Foreign Affairs, because the strength of the contract seemed to exist in the ambiguity of its terms. In 1831, when it was quite clear that the letter of the convention under which England engaged to pay Russia the old Dutch debt alluded to, had been broken, it was found necessary, as the House would remember, to negotiate a new convention, with the view of carrying out the spirit, rather than the letter, of the original convention, and to make a contract substantially equivalent to the one which a change of circumstances rendered no longer applicable. For the first time there was found the appearance of the words—

> "To secure to Russia the payment of a portion of her old Dutch debt, in consideration of the general arrangements of the Congress of Vienna, to which she had given her adhesion—arrangements which still remain in full force."

His first impression from these words, and they certainly seemed to justify that inference, was, that upon making a new arrangement upon the old basis, it had become necessary to introduce a consideration which should as effectively limit the payment of the debt as the original one; and as it was no longer possible to stipulate that the debt should be paid in consideration of the union between Holland and Belgium, a new consideration should be inserted, viz., that it should be paid—

> "In consideration of the general arrangements of the Congress of Vienna, to which she had given her adhesion"—

More especially as these arrangements "still remained in full force." As if it had been meant to say, that if these arrangements had not been in full force, the payment would not be continued. That was certainly his first impression on reading the new convention, that they were at liberty to withhold payment of the debt when the arrangements referred to ceased to continue in full force; and, such being his impression, he thought the House was only doing its duty in expressing the mildest sense which every party in it entertained of the great mischief of the breach of treaty which had been committed by the Three Powers, and by Russia in particular, in abolishing the free State of Cracow. But upon this point, he felt that the lawyers in the House would be better able to express an opinion than he was; and perhaps the noble Lord who negotiated the new convention might also help to remove his doubts. With respect to the first resolution, the latter part of it was a mere echo of Her Majesty's Speech, and implied a hearty acquiescence in the views of Her Majesty's Government; and he hoped there would not be found within the walls of that House any difference of opinion upon it, viz., that all the three parties had been guilty of a gross violation of treaty, and that they had, for the sake of a minor policy, sacrificed the greater policy upon which the peace of Europe rested. He would also take the liberty of expressing a hope that the Emperor of Russia especially would recollect the sentiments of his distinguished brother, through whose hands the negotiation originally passed, as to the importance of adhering to the faith of treaties. He should wish him, if possible, to recall to his consideration some of those noble expressions which were reported by Lord Castlereagh to have been used by his predecessor; and that the Emperor would, like him, do all he could to maintain inviolate the peace of Europe; and that he would act in accordance with the spirit which his brother endeavoured to breathe into his subjects. He sincerely trusted that the Russian Emperor would see it to be his interest to extend instead of diminish the liberties of the people, and that he would take warning from the expressions which had been made use of by M. Guizot, the French Minister, on this subject.

> "Nothing," said that statesman, "can more compromise a Government, than for it to declare that it is not in a condition, even slowly and by force of time, to fulfil its promises, and the hopes which it has itself raised. The destruction of the small State of Cracow may create for Polish conspiracy and insurrection some means of action; but it may also keep up and even irritate the feelings which these deplorable enterprises so obstinately excite and revive. In the meantime, it takes from the influence which might prevent them a great portion of its authority. It weakens throughout Europe on this painful question the principles of order and conservatism, to the

strengthening of blind passions and violent designs."

With the expression of his hope that sentiments like these would penetrate the bosoms of those Powers, in whose hands the destinies of Poland were placed, he would sit down, by asking the hearty and unanimous consent of the House to at least the first resolution which lay upon the Table.

Lord J. RUSSELL said: The hon. Member for Montrose having made his Motion, I shall, without entering on the general argument which has been stated by him, and by my noble Friend opposite, shortly state to the House the view which I take of the Motion which he has made. With respect to the argument which has been stated, that the Three Powers were not justified by the Treaty of Vienna in concluding for themselves the consideration, whether the free State of Cracow should be maintained or extinguished—with respect to that argument I cannot but concur with my hon. Friend who made the Motion, and my noble Friend who seconded it. I think it is clear from the words of the Treaty of Vienna, and from the prominence which the arrangement respecting Poland took, both in the conferences which preceded that treaty, and in the articles of the treaty itself, that these articles were not immaterial parts of the treaty, but did form one of the principal stipulations upon which the great Powers of Europe agreed at the termination of a bloody and destructive war. Nor can I think that while the arrangement which placed the Duchy of Warsaw under the dominion of the Emperor of Russia, formed the subject of many discussions and a long correspondence, not only between the Ministers of the different Courts, but also of a singular correspondence between the Minister for Foreign Affairs in this country and the Emperor of Russia himself—I say I cannot think, that while that arrangement formed a principal part of the treaty, the arrangement which left one small portion, "a mere atom," as the Allied Powers called it, free and independent, was an immaterial, or an insignificant part of it. It cannot but appear, I think, however small the territory—however small the population of that State—that yet the treaty formed, first between the Three Powers and then by all the Powers who were the concurring parties in the Treaty of Vienna, meant that freedom and independence should leave to Poland—should leave to some part of the Polish nation—a separate existence; and that, giving up much, admitting much, to the Emperor of Russia, it was still consecrated, as a principle, that some part of the Polish nation should retain an independent and separate existence. For this reason, therefore, I consider the existence of Cracow as a State, having been thus secured by general treaty—whatever the complaints the Three Powers had made, that Cracow was the focus of disturbances; that revolutionary intrigues there found a centre and a means of organization; that there arose from that small State insurrection against the three surrounding Powers; that it was impossible to preserve those Powers from this insurrection: that if these reasons were good and valid—if they were felt to be strong—they should have been stated to England and to France; that England and France should have been invited to a congress, or some species of conference, in which their consent should have been asked to put an end to a state of things which those Three Powers declared to be intolerable, and which they could no longer permit with safety to themselves. So much, I think, is clear from the papers which record the general transaction of the Treaty of Vienna; and so much also, I think, is clear from the passage which my noble Friend opposite (Lord Sandon) has read from the statement of the Prussian Minister of Foreign Affairs, in which he, in words, admits that if the arrangement of the Treaty of Vienna were to be altered and set aside, agreement and concurrence with England and France would previously have been necessary. In the next place, with regard to the reasons which are given by the three great Powers, and which are stated more especially by Prince Metternich, on the part of the Court of Austria, those reasons appear to me insufficient for the violent proceeding which has taken place. I cannot myself imagine that there could not have been precautions taken, which, however they limited the action of the free and independent State of Cracow, would yet have been a security that its name and its independence would have been maintained; while all danger from refugees, from its being made a place where strangers from all parts of the Continent came and planned conspiracy, might have been encountered and prevented. It does seem to me most extraordinary that, with this little State—this mere atom, surrounded by Russia, by Austria, and by Prussia—these three great and mighty monarchies, with such vast military forces, with such unbounded means, having command of all the roads which lead to Cracow, having the power of marching their troops at any moment into the city of Cracow, having certain rights which were constituted and assigned to them in the Treaty of Vienna—should have found themselves so powerless as to be unable to prevent Cracow becoming dangerous to their peace and welfare. I cannot, indeed, but suspect, especially looking at the latter part of this transaction, when government was dissolved in Cracow—when disorganization took place—that it was not unwelcome, or altogether unpalatable to those Three Powers, to be enabled to say, "All means of government are gone; Cracow is a scene of anarchy and disorder, and no remedy remains but the total abolition of the existence of that republic." Therefore, Sir, both on the grounds of the Treaty of Vienna, the distinctness of the stipulations referring to Cracow, and with regard to the reasons which were urged for its extinction, I think, in the first place, there was a manifest violation of the Treaty of Vienna; and I believe, in the second, that, if the question had been discussed in a congress or conference among the Powers, thare is no sufficient proof, so far as we have hitherto seen, that the Three Powers would have been in a position to show good cause for the course they have adopted. Neither, Sir, am I convinced by the instances that are furnished by the Minister of Austria, as to various stipulations of the Treaty of Vienna, which have been altered by uncontested agreement between Powers who were concerned, and whose territories were affected, such as small parts of principalities given by the Duke of Coburg, or others, transferred in consideration of some equivalents to other princes, for the mutual convenience of their respective territories, for the purpose of giving a fair equivalent to each, and of sometimes making a more satisfactory arrangement for all. These are, naturally and obviously, alterations of the Treaty of Vienna, which might take place without any general appeal to all the Powers who have signed that treaty. Such alterations bear, in my mind, no resemblance to an infraction of one of those great and leading and master stipulations in which all the Powers of Europe are deeply interested. Supposing that some arrangement were made between Austria and Prussia for the extinction of Saxony, and that the great Powers were to ask how they, only two of the parties to the Treaty of Vienna, could agree to extinguish Saxony, what answer would it be—that some little bit of territory had before been exchanged between some of the minor princes, and that then we made no protest? And, as I consider it, the extinction of this free State is an alteration of one of the main and leading provisions of the treaty. But my hon. Friend, Sir, not satisfied with the protest which my noble Friend the Secretary of State for Foreign Affairs has directed to be delivered at the Courts of the Three Powers principally concerned, wishes this House to agree to certain resolutions. With respect to the first of these resolutions, my noble Friend opposite (Lord Sandon), who seconds the Motion, is in complete accordance. With regard to the last he is not so far agreed, and he doubts whether the House ought to affirm it. As to the first of these resolutions, "That this House views with alarm and indignation the incorporation of the free State of Cracow into the dominions of the Emperor of Austria, in manifest violation of the Treaty of Vienna," I should beg the House to consider that there is a very great difference between that which has been done by my noble Friend (Lord Palmerston) in obedience to Her Majesty's commands, and that which it is proposed to this House to do. It is the prerogative of the Crown to make treaties, to carry on the correspondence and relations of this country with foreign Powers. Every public and every personal communication is agreed on in the name of the Sovereign, and by the command of the Sovereign. If a treaty has been signed and ratified, as this Treaty of Vienna was signed and ratified, by the Minister of England in the name of George III., and of the Prince Regent of England; and if any violation or contravention of that treaty takes place, the person to whom it devolves to make any representation, is obviously again the Minister of the Sovereign—the Minister of the Sovereign of England, who has made the original treaty. But with regard to the functions of this House, they are of a very different nature. When there is a treaty made, or a correspondence takes place, upon which it is thought necessary that the opinion and concurrence of this House should be taken, it is usual then for the Ministers of the Crown to ask for that general concurrence. If a treaty of commerce or a treaty of subsidy is signed, that requires the intervention of Parliament, it is usual for the Minister of the Crown to ask for the sanction or concurrence of Parliament to that treaty. But to affirm a resolution which is not thus brought by necessity before the House of Commons—to affirm a resolution merely declaratory of an opinion, that is not the correct nor the regular course of proceeding in this House. For my own part it appears to me, that while it is obviously incumbent on the Secretary of State for Foreign Affairs, and on the advisers of Her Majesty to declare their sense of any violation of treaty, or of any matter which concerns the foreign relations of this country with other countries, it is not advisable that the House of Commons should affirm resolutions with respect to the conduct of those foreign Powers, unless it be intended to follow up those resolutions by some measures or actions on the part of the Executive Government. For my part I have never admired—and I have always declared in this House that I never admired in this respect—the conduct of the French Chambers with regard to Poland. It has been the custom of the Chamber of Deputies in France annually to protest at the commencement of the Session against the acts of the Emperor Nicholas, and to make a declaration in favour of the nationality of Poland. I think that such annual declarations are illusive; for while they have been made in this manner, they have been followed up by no measures; they are made by a representative assembly, without any action following on that declaration. Be it observed how great is the difference between that and a protest on the part of a Sovereign. The Sovereign, by prerogative, entrusted with this power of making treaties, is forced of necessity to some opinion or other—of tacit acquiescence, of favourable and applauding concurrence, or one involving remonstrance and reproach—some course or other is forced upon the Executive Government of the country. But with regard to the House of Commons, it is not necessary, in the ordinary course of foreign affairs, that this House should at all interfere or declare its opinion on these subjects. I can see no advantage in altering that usual course. I do not think there would be any advantage in bringing these subjects frequently or constantly before the House, with a view to a declaration of opinion—I think the House would gain no respect by a deviation from its usual custom. That is my reason, therefore, while I could have no objections to urge in opinion against this resolution—for I have already declared what is my opinion with regard to the extinction of the free State of Cracow—why I object to its being made a resolution of the House of Commons; and on that point I should be disposed to move the previous question. With regard to the other resolution, I should act in like manner. That resolution says that—

> "Russia, having withdrawn that adhesion (to the Treaty of Vienna), and those arrangements being through her act no longer in force, the payments from this country on account of the loan should be henceforth suspended."

Now, that is entirely a different question. The arrangements at the time of the Treaty of Vienna involved a union of Belgium with Holland; and there being a debt in Holland which was payable, and the interest of which was payable by Russia, Great Britain took upon herself the payment of the interest of that debt, in consideration of Russia being a party to that arrangement. When, after that, these two countries were separated, Russia no longer attempted to maintain that arrangement; and, therefore, by the letter of the treaty, England might then have said, "You no longer maintain the union of Belgium with Holland; and therefore as you do not comply with the letter of that treaty, we are free from the discharge of the interest of that debt." But although this would have been in perfect and entire conformity with the letter of the treaty, it would have been most inconsistent with the justice of the case; because the Power that had favoured the separation, and which, from the moment the insurrection in Belgium was successful, favoured, recognised, and aided that separation, was especially England; and for England to come forward and say, "You did not maintain the union between Holland and Belgium, an union which we did not wish, which we wanted to see dissolved, but now that it is dissolved, we declare ourselves free from the payment of that debt"—to have said so would have been such an evasion of an engagement, that I certainly could not have taken any part in adopting it, But it was not evaded. England being free from the letter of the engagement, made a new engagement with Russia; and in that engagement she agreed to continue the payment of the interest of that debt. The actual ground for continuing the payment of that interest was, that Russia did abide by the general arrangement of the Treaty of Vienna; and that it was only in consequence of the acts of England herself that she did not maintain the union between Holland and Belgium. But undoubtedly the words were introduced into that convention which were a security to Russia for payment of

—"her old Dutch debt, in consideration of the general arrangements of the Congress of Vienna, to which she had given her adhesion—arrangements which remain in full force."

Now, these words were certainly used. They were introduced at the request of the representatives of Russia in this country. They were put in in order to show that, whilst Russia had departed in one principal respect from this arrangement, yet she was not to be accused of any violation of the general treaty, of any bad faith in the matter, because she had only done so at the request of England. But still, as I think, the original arrangement and the general reason of the arrangement, remain in full force; and what was that original arrangement? It was, that Russia had agreed with England with respect to the territorial disposition of Holland and Belgium. There was no question at that time of any other arrangement, or of the Treaty of Vienna being violated or disturbed. Russia desired these words to be inserted in the treaty. So far as England was concerned, she did not wish those words to be inserted. It was not the expression of any desire of hers that they were so; but it seemed to be a matter of good faith, that as Russia still maintained the original arrangement, therefore it was right to continue to pay the interest of the debt. Now, I say with respect to the spirit of the agreement, that I do not think it would be just to take advantage of the insertion of these words, and that Russia having, so far as Belgium and Holland are concerned, faithfully preserved those stipulations, having never attempted either to disturb this arrangement, and still less refused her aid to England with regard to any question respecting them, I do not think, in point of fair dealing, we should be justified in refusing to pay the interest of the debt. I do think, however, that according to these words, we might now, as we formerly might have done, refuse to pay this interest. We might say to Russia,—"You have permitted these words to be inserted—they were inserted with your sanction; and, as they were inserted with your sanction, we will take advantage of these words, and we will refuse any longer to pay the sum." That would be conformable to one interpretation of the treaty. Those whom we consulted, who were the highest authorities that we could consult with regard to the interpretation of Acts of Parliament bearing upon treaties—the legal authorities who are usually consulted on those subjects—have told us, that they think, according to the spirit of the arrangement, according to the spirit of the convention, the money ought still to be paid. It is at most, state it as favourably as you can for the hon. Gentleman's Motion, a doubtful point, upon which, if you wish to take advantage, you might claim that advantage from words inserted in the convention. According to my opinion, you would be acting against the spirit of the treaty in order to take advantage of a plea which, I think, in a court of law, might perhaps be urged in order to get rid of a contract, but which, as between nations, ought not to be used. I think, in so considering this question, we should lower our position. I think we should deprive ourselves of that advantage which we now have if we were to reduce this to a transaction of pounds, shillings, and pence. I consider that in late transactions in Europe, although, on more than one occasion, and by different Powers, our wishes have not been complied with, our desires have not been listened to, our protests may have been disregarded, yet there does remain with us a moral strength nothing can take away. There is no treaty the stipulations of which it can be imputed to England that she has violated, evaded, or set at nought. We are ready, in the face of Europe, however inconvenient some of those stipulations may be, to hold ourselves bound, by all our engagements, to keep the fame, and the name, and the honour of the Crown of England unsullied, and to guard that unsullied honour as a jewel which we will not have tarnished. With that sentiment, Sir, if I should ask my noble Friend to go to the Court of Russia, and say, "To be sure you have violated a treaty—to be sure you have extinguished an independent State. We have allowed this to be done. You shall hear no threat of war. We will not arm for the purpose. We will admit that the State of Cracow is extinguished. We will admit that her inhabitants are reduced to subjection, The names of freedom and of independence to them are lost for ever. But this we will do. There is a claim of some thousand pounds which we can make against you, which we now pay, and which we will now throw upon your shoulders; and in that way we will revenge ourselves for your violation of treaties." We should be taking a part, we should be using language which is not becoming the position England has hitherto held; which is not becoming the position I wish her in future to hold against the world. Having thus stated as shortly as I could the views I entertain upon the subject, I ask you not to come in this House of Commons, which does not usually interfere with the foreign relations of this country, to any idle resolution upon which you don't intend to act; and I ask you, in the next place, not to lower this question to a mere question of money value, not to go and demand how much this Russian-Dutch stock may be worth in the market, but to preserve that which, as I think, is of inestimable value; I wish you to allow, as this House has hitherto allowed, by its silent acquiescence, the protest which the Secretary of State for Foreign Affairs has delivered, to remain in full force as a declaration upon our part —a declaration which will have its value, depend upon it, in regard to future transactions—that we do not abstain from the observance of treaties which we believe to have been violated; and let us be able to say that we have sought no interest of England in this matter. We have not looked to any interest, either large or petty, in regard to ourselves; we have regarded the great interests of Europe; we have desired that the settlement which put an end to a century of bloodshed should remain in full force and vigour. We have declared that sentiment to the world, and we trust that the reprobation with which this transaction has been met, will, in future, lead all Powers, whoever they may be, who may be induced to violate treaties, to consider that they will meet with the disinterested protest of England, so that her character shall stand before the world untarnished by any act of her own.

Debate adjourned, after some discussion as to the day, till the ensuing Thursday.

House adjourned.

HOUSE OF LORDS,

Friday, March 5, 1847.

MINUTES.] PUBLIC BILLS.—2ª Custody of Offenders; Prisons.

PETITIONS PRESENTED. From Joseph Bentley, for the Adoption of Means for the Establishment of a more perfect System of National Education.—From several Poor Law Unions in Ireland for Amendment of the Poor Relief (Ireland) Act, by equalizing the payment of Poor Rates over the entire of each Union.—By Lord Brougham, from Bodmin, against the Use of Grain and Fruit in Distilleries.—From Hunslet and several other places for Amendment of the Poor Removal Act.

LABOURING POOR (IRELAND) BILL.

The EARL of SHAFTESBURY brought up the report of the Amendments.

The EARL of RADNOR observed, that the number of persons employed on the relief works in Ireland was now 668,000, being an increase of 40 per cent in the number. He wished to ask if Government had any idea that the number would be diminished. What was to become of them if this system should go on to October or November?

The MARQUESS of LANSDOWNE was not in the least surprised at the question put by his noble Friend, and the great anxiety he had expressed as to the subject, in which anxiety he entirely concurred. It undoubtedly was the intention of Her Majesty's Government, and had been so stated by them to Parliament, that as far as practicable reproductive works should be set on foot, and that the relief works should be not abruptly, but gradually, discontinued. The only reason for that course not having been yet acted upon to the extent to which it was desirable, was the increasing destitution of Ireland by the increase of scarcity, and the absolute failure of any other means of support, combined with the difficulty, or rather impossibility, of carrying at once into operation those other measures which it was hoped by Government and Parliament would operate in some degree as a substitute. One of those Bills was only just passed; and he could assure his noble Friend that no time would be lost in Ireland in carrying the new system into operation, with a view to afford such relief as could be immediately given. Positive instructions had been sent to the local government in Ireland, enjoining the discontinuing of those works; that none should be commenced except under the most urgent circumstances; and that if any particular work was so commenced, an immediate report should be made expressing the grounds of the undertaking. He did therefore feel confident, that at no distant period there would be a diminution in the amount of men employed on those works. Though it was undoubtedly true, that any system of relief which could be introduced into Ireland would be subject to abuse, yet the system now to be established would be one more capable of control, less liable to abuse, more easily watched, than the one to which his noble Friend had called their Lordships' attention. He could only say, that he should be obliged to his noble Friend to continue his attention to this subject, because it was one of great importance.

LORD BROUGHAM could only say, that he entertained the same hope with his noble Friend opposite, which he trusted would not be frustrated by the result. But his fear, as well as that of his noble Friend near him, was that it would. His great fear was, as he had constantly stated since the beginning of the Session, that they had got into a plan, the necessary and inevitable consequence of which was, that it could not stop where it was, but must go on.

The EARL of MOUNTCASHEL remarked, that the noble Lord (the Earl of Radnor) could not surely be aware of the present state of Ireland, or he would not have spoken as he had done. It was impossible that the landowners could diminish the enormous expense which they were at present incurring in the execution of relief works, however much it was their interest to do it; for they found themselves compelled to bring in presentations for more works, in order to provide employment for the people to prevent them from starving. When they saw the people falling dead on the roads—when they found contagion spreading not only in the cabins of the poor, but among every class of society—when they saw these things occurring, it was impossible to put a stop suddenly to the means which had hitherto been adopted of supporting the people in their present distress. Besides, there were certain public works which had been presented for, and which were not finished; and the money which had been already expended on the progress of these works would be thrown away, if the works were not continued. Many roads in the south of Ireland were in this condition, and the number of persons employed on them could not well be diminished until they were completed. And, even if they were finished, what was to be done with these poor people until other means were found for supporting them?

The EARL of RADNOR hoped that none of their Lordships had misunderstood him, as the noble Earl seemed to have done. He spoke of Ireland in regard to this matter, only as he would of Yorkshire.

Amendments reported.

CUSTODY OF OFFENDERS BILL—SECONDARY PUNISHMENTS.

Order of the Day for the Second Reading read.

EARL GREY said: I beg now to move that this Bill be read a second time. The object of the Bill is not one of any considerable importance. Its scope is confined to little more than assimilating the law with respect to Irish offenders, to the law as it now exists in Great Britain. By the existing law, all offenders sentenced to transportation in Great Britain are placed at the disposal of the Crown; and the usual course is, that they are sent to Van Diemen's Land, Gibraltar or Bermuda, or are imprisoned in Millbank or Pentonville prisons, or confined on board of the hulks, as circumstances may render desirable. But the Acts which give this power, as regards offenders in Great Britain, do not extend to Ireland; and with respect to Ireland there is no power of disposing of criminals otherwise than by sending them to Van Diemen's Land and Norfolk Island, because even Bermuda and Gibraltar, where there are convict establishments, do not come within the operation of the law as regards Irish convicts. To do away with this distinction is the whole scope of the Bill of which I now move the second reading. There is another Bill—the Prisons Bill—before us, intimately connected with it, of which I shall also move the second reading this evening, but which is not in itself of very much more importance. Its whole object is to make a change, and I believe a very necessary change, in the constitution of the governing bodies of the three national prisons of Pentonville, Millbank, and Parkhurst. But though those two measures are not in themselves of any very great importance, I think it is right that, in moving the second reading of this Bill, I should call your Lordships' attention to the whole subject of secondary punishments; for this reason, that these are the only measures of a legislative kind which it is necessary for Government at present to introduce to Parliament in carrying into effect a change in the policy of the country with respect to punishments of a very important kind. That change is of no less extent than a virtual abolition of the system of transportation, which has so many years prevailed under different regulations and modifications as a mode of punishment. Although by law the Executive Government has, undoubtedly, the power of making this change without appealing to Parliament, yet, considering the extreme importance of that change—considering that the system which it is proposed to alter is one which has now lasted for very many years, and that it has received on repeated occasions the deliberate attention of Parliament—I certainly do feel that it would be inconsistent with the duty of Her Majesty's Government to carry such a change into effect without distinctly calling the attention of Parliament to the subject. My Lords, I believe there is no subject which can come under the consideration of Parliament of more deep importance than that of the punishment of offenders. It is absolutely necessary, for the very existence of society, that the punishments by which the law is to be enforced, should be of such a character as effectually to deter offenders from the commission of crime. It is equally necessary, for great ends of humanity, that the punishment inflicted on offenders should be one, calculated, as far as possible, to reform and improve the unhappy objects of that punishment themselves. These are ends, my Lords, of the very highest importance; and not less is the extreme difficulty in carrying it out with success. It is a subject on which various systems have been adopted by the various civilized nations of the world, and upon which many attempts at improvement have been made; but I believe nowhere can it be said that that great and difficult problem of discovering the best mode of treating offenders, with a view at once to the prevention of crime and the reformation of the criminal, has yet received a completely satisfactory solution. But though this is the case, the experience which has of late years been gained both in this and other countries, has, I think, enabled us to judge far better than we could have done a very few years ago, what are the measures which it is expedient to adopt. I have already said, that the change which Government have considered ought to be introduced into the policy of the country, extends to no less than the virtual abolition of transportation, because when I speak of transportation, I do not include the punishment of offenders at Gibraltar and Bermuda: that punishment is of a totally different character from that which is usually known under the name of transportation. It is one of the known features of the system of transportation, that in the very great majority of cases, the persons on whom that sentence has been passed, being carried to a very remote part of the world, at the termination of their sentence remain in the country in which their punishment has been carried into effect, and do not return to this country: so that relieving this country from the presence of those criminals, was considered one of the main objects in view under that system. But with respect to those removed to Bermuda and Gibraltar, this has not been the case; on the contrary, criminals who have there been punished, are not allowed to remain in those places; they are brought back at the public expense to this country. Punishment at Bermuda and Gibraltar is, therefore, rather to be considered as an extension of the hulk system which is in practice here, than as a system of transportation; it is only that a certain number of convicts who would have been otherwise sent to the hulks at Portsmouth or Woolwich, have been sent to hulks stationed at Gibraltar or Bermuda, because their labour can be rendered there exceedingly valuable to the country. Defining in this manner what I mean by the word "transportation," Her Majesty's Government propose to do away entirely with the system of transportation as it has hitherto existed. I cannot believe that any of your Lordships who have read the papers lately presented, and those which in former years also have been laid before Parliament, or who have attended to the progress of the various measures adopted on this subject within the last few years, can doubt the absolute necessity—I use no lighter word—of that complete change of policy which Government have thought it their duty to adopt. I trust a short recapitulation of what has been passed on this subject, will be sufficient to show your Lordships that this necessity really exists. Allow me, therefore, to remind your Lordships that the old system of transportation was one very different from that which of late years has existed. Convicts sent to New South Wales and Van Diemen's Land were not kept at the charge of Government; they were assigned to private individuals, with whom they were placed in a situation, I may call it, of slavery, because they were compelled to serve those persons. According to the regulations, wages were not allowed to be paid to them; they only received food and clothing, and if they failed to work, or for any neglect of orders, the punishment was of the most summary kind—flogging by order of a magistrate. It was to all intents and purposes a system of slavery which existed in those colonies. In 1837, a Committee, of which I had the honour to be a Member, was appointed in the other House of Parliament to consider this subject, which sat both in that and the following Session, and took a great deal of evidence upon this subject. Of that Committee, Sir R. Peel, Lord J. Russell, and other distinguished persons, who had taken an active part in the business of Parliament, were Members; and it was ably presided over by Sir W. Molesworth. No difference of opinion, so far as I recollect, existed among the Members as to the necessity of doing away with what was called the system of assignment, because that system was one of the grossest inequality and injustice. It was a matter of accident under it what was the nature of the punishment to which a man was subjected. If he had a good master, disposed to be indulgent, it often happened that a criminal who had been sentenced in this country for some most heinous offence, more especially if he proved to be a good mechanic or workman, instead of finding himself worse off than in this country, found his situation infinitely improved. I remember that with respect to the agricultural labourers sent out for their share in the riots of 1830, which were caused by the great distress then existing in Kent and Dorsetshire, this was very remarkably the case. These men being generally good labourers, their services were extremely valuable, so that the masters to whom they were assigned were very anxious to keep them in good humour. They were consequently well treated; and thus to those men whom you sent to New South Wales for the purpose of punishing them, the effect of the sentence of transportation was this, that whereas in England—the cause of those riots being, undoubtedly, the severe pressure of the distress at that time existing—they had been receiving 7*s*. or 8*s*. a week, which barely enabled them to obtain a most scanty diet, and a miserable provision of clothing, when they went to New South Wales, and were assigned to masters by way of punishment, they received rations of ten pounds of meat a week, with a good allowance of sugar, tea, bread, and clothing; and this in return for labour certainly much less severe than what they had been used to. In some cases, therefore, this was no punishment whatever; while in others, according to the disposition of the masters (and this was a mere matter of accident), it was a punishment of the cruellest and severest kind. The assigned servant was, as I have already said, entirely the slave of his master. If it so happened that he got a bad and tyrannical master, he was subjected to a continual system of annoyance, ill treated, and at length driven into mutiny and resistance, when he was immediately carried before a magistrate, and, upon the mere allegation of the master, was subjected to corporal punishment of the severest kind. Returns were laid before the Committee in 1812 which showed the fearful extent to which this system of corporal punishment had been carried. Your Lordships will observe another result of this system. The suffering endured by the convicts in this way was altogether useless as an example to offenders at home; it was little heard of in this country; but, on the other hand, those convicts who were well off wrote home to their friends and relations, and said, "It was the luckiest thing that ever happened to me to be convicted and sent out here. I was never so well off before, and do you contrive to get yourself sent out, and follow me as soon as you can." I was Under Secretary in the Colonial Office, and had opportunities of seeing many of those letters; and I think my noble Friend opposite (Lord Ripon), who was then Secretary of State for the Colonies, will also remember seeing numerous letters of this kind which came through the office. No doubt many of these representations were false; but they were not made in vain—their statements were believed; and, whether true or false, they produced their effect; and their result was, to render this system ineffectual in deterring others from the commission of offences at home. For these reasons, the Committee of 1838 came, as I believe, to the unanimous conclusion that the system of assignment was one which must be done away with. Their resolution to this effect was reported to the House of Commons; and measures founded on that resolution were adopted, by which steps were taken to put an end to the system of assignment. At the same time it was proposed, that all convicts whatever were to be retained in the hands of Government; and that, therefore, a much smaller number of convicts than formerly should be transported. It was felt, that when the system of assignment ceased, and when all convicts were to be retained in the hands of the Colonial Government, it would be a matter of extreme difficulty to administer the system properly if a very large number were to be sent out. The plan which it was intended to adopt, and for which instructions were framed by my noble Friend at the head of the Government (Lord John Russell), who then filled the office I have now the honour to hold, was that of confining the punishment of transportation to a comparatively small number of criminals, who were to be sent to Van Diemen's Land and to Norfolk Island. In accordance with these views, in the beginning of 1840, an Order in Council was issued prohibiting transportation to New South Wales. It was also a part of this plan, that the system of punishment at home should be greatly improved; but time was required to carry these views into effect. For that purpose the prison at Pentonville was founded, and measures were adopted to improve the system of prison punishment at home. But in 1841, while these measures were in progress, a resolution was moved in the House of Commons to the effect that it was inexpedient to keep such a large number of convicts on board the hulks at home: that resolution was resisted on the part of the Government; but it was carried by a majority of the House of Commons. This was towards the end of Lord Melbourne's Administration; and the resolution was carried in a thin House in the month of March. As far as I can trace the matter, no measures were taken for carrying that resolution into effect during the continuance of that Administration. When a change of Government took place shortly after, it was determined that the views of the House of Commons should be acted upon; and I find, that after a good deal of discussion on the matter, in the early part of 1843 it was decided that all convicts should be sent abroad, except those belonging to either of two classes—first, those who might be selected for imprisonment at Pentonville, Parkhurst, and Millbank; and, secondly, those whose age or health was such as to render it inexpedient that they should be transported. The whole of the remaining body of criminals were to be sent to Bermuda, to Van Diemen's Land, or to Norfolk Island. The consequence of this determination was that a very large number of convicts were sent to Van Diemen's Land and to Norfolk Island. I confess I at the time entertained the very strongest conviction that the adoption of this measure must lead to very great evils. I was persuaded it was impossible so large a number of convicts could be sent to those colonies without its being found that, practically, there were no adequate means of there carrying into effect the intended system of punishment; because your Lordships must remember, that as these convicts were not to be assigned as servants to settlers, but were to be retained under the immediate charge of the Government, the punishment really resolved itself into the infliction of forced labour. But the difficulty of inflicting this punishment upon large numbers of convicts without giving rise to abuse, which is great everywhere, was infinitely increased by the circumstances that at such a distance from home, these colonies were out of the immediate control of Government; and if there were any slight errors or defects in the system brought to light by experience, they could only be corrected by reference home, which would require nearly a year before an answer could be returned. There is also a much greater difficulty in getting trustworthy agents and officers than at home; so that in situations of that kind, the impediments to a good system of penal labour were great indeed. I have already stated that the Committee of 1838 had it in contemplation that a certain number of convicts should still continue to be sent abroad. I confess, my Lords, I thought this the most doubtful part of their recommendation; but, at the same time, if transportation to Norfolk Island and Van Diemen's Land had been continued to a very small number of convicts guilty of the most heinous offences, I think it possible that the advantages which we might have reason to expect from the impression made on men's imaginations (if the system were properly carried into effect) by the great distance of those places, and the complete disappearance of persons sentenced to them—the effect of their being utterly lost sight of by their friends and relations, might, with regard to very serious offences, by rendering this punishment more calculated to deter offenders from the commission of them, have counterbalanced the disadvantages resulting from the greater practical difficulty of enforcing an effective system of discipline at such a distance from home. But when the system came to be applied, not to a few hundreds, but to many thousands—when immense numbers of convicts were to be carried to the antipodes, I believed that it would be utterly impossible that any other result could follow than that which has actually occurred. I think the papers lately laid on your Lordships' Table will prove to you that my anticipation of the failure of the system was but too well founded. I will not disgust your Lordships by going into the horrible, the monstrous details of the abuses which have sprung up from this system in Norfolk Island. A state of things had been found, on evidence of which the general effect was unquestionable, to exist in that small island too horrible to mention. It is, my Lords, a disgrace, I may say, to the British name, that such a system should have existed under the British flag. Very soon after I was appointed to the office I now hold, I felt the effect of the evidence laid before me so conclusive, that I thought myself justified in issuing orders to the new Governor, who was then on the point of going out, at once to break up the establishment there. Since these instructions were given to Sir W. Denison, despatches have been received by which it appears that Sir Eardley Wilmot had already found that the evils existing in Norfolk Island had risen to such a height, that he had to a great degree anticipated the orders carried out by his successor. He had already taken steps to prevent more convicts from being landed on the shores of the island, and even to remove a portion of those already there. I need not go into the details of the state of things at Norfolk Island, nor of the frightful outbreak which took place there among the convicts, and which, it appears, a singular interposition of Providence alone prevented from being completely successful. But for the fortunate arrival of a small detachment of troops, it was by no means improbable that the convicts might have overcome the force of civil officers and the military in the island, and that every free person there might have been murdered. With respect, then, to Norfolk Island, I see there is no difference of opinion among your Lordships — you all see the breaking up of this establishment was absolutely inevitable. But I fear, my Lords, that the state of things in Van Diemen's Land is something similar—the evil indeed, I hope is far from being equally great; but still there is even in that island a state of things most painful to contemplate. Any of your Lordships who have looked through the evidence, will, I am sure, see reason to be abundantly dissatisfied with the condition of Van Diemen's Land. We have often heard of abuses on board the hulks under the old system; but I firmly believe the worst conducted of these hulks was less fatal to anything like moral improvement amongst the prisoners, than the state of things in that island; and I am convinced that as regards the reformation of the convicts transported to Van Diemen's Land, the present system has worked very badly. I am aware, indeed, that the Governor and the authorities in immediate charge of the convicts, do not entirely support this impression, and that their reports are not so unfavourable as those received from other quarters; but I think it is impossible calmly to consider facts stated in the report of Sir Eardley Wilmot, and of Sir John Franklin, who preceded him as Governor, without coming to the conclusion, that even upon their showing the working of the system has been most unsatisfactory. The latter expressed this opinion very decidedly; and though the present Governor gives a different opinion, I must repeat that, in doing so, he admits facts which in my mind confirm the unfavourable impression produced by what appear to me to be trustworthy accounts which we have from other quarters. My noble Friend the President of the Council, in the early part of last year, presented a petition, signed by the Bishop of the colony, and a vast number of the most respectable inhabitants, to the number, as well as I recollect, of 1,700 or 1,800, every one of whom added his address to his name, as a proof of his respectability, which described in the strongest terms the state to which this island was reduced, by the existing system of transportation. In that petition it was stated—

> "We are in continual dread and anxiety for ourselves and our families, owing to the numbers of convicts by whom we are surrounded; we feel that we have no security for life or property; that the moral condition of the colony is daily becoming worse and worse; that no regulations, however well intended, no Government, however able, no improvement in detail, will counteract the evil of the enormous mass of criminals that are poured upon our shores; and that if the present system of transportation continues, we must, at whatever sacrifice, abandon a colony which will become unfit for any man to inhabit who regards the highest interests of himself and his children."

This was the statement of the petition. I have seen, within the last few months, various persons who have given me accounts of the state of things in the colony, and they support to the fullest extent the statements contained in this petition respecting it. I have, amongst others, both seen the Protestant bishop and the Roman Catholic bishop of Van Diemen's Land, who at this moment are in England, which they were both very much led, as I believe, to visit by the desire of representing to Government the absolute necessity of putting an end to the system which has led to such dreadful results. Both of those right rev. bishops I have seen, as I said before, and they concur in giving me a picture of the state of society in the island, arising from the extent to which transportation is carried, which is too terrible to comtemplate. But there is another question still to be considered: the expenditure, on the part of the mother country, in carrying out this system in Van Diemen's Land has been extremely large—so large, indeed, that I have no hesitation in saying, that if the same sum of money had been employed in a well-considered system of punishment at home, the same number of convicts would have been effectually punished here; and proper buildings, constructed on the best system for prison discipline, might have been erected for their reception. But while it has been expensive tò the mother country, to the colony it has been utter ruin—the amount of the charges which has fallen upon it, has made the colony, I may say, a bankrupt. So heavily had the charges connected with this system fallen on the colony, that some time ago my noble Friend opposite (Lord Stanley) felt himself compelled to call on Government to submit to Parliament a proposal for throwing a large portion of expense on this country; and a grant of 24,000*l.* a year towards the expense of the police and the administration of justice in Van Diemen's Land, has accordingly been sanctioned. I am afraid, however, it is too true that some of the most desirable settlers in Van Diemen's Land have been forced to quit its soil, and that a most serious blow has been given to the prosperity of the colony. Before this large influx of convicts, it was a most thriving and prosperous colony, and its progress had been one of almost unexampled rapidity; but from the time this enormous influx of convicts took place, this state of things was greatly changed for the worse. I am aware that there were other causes for this, and that it is not alone to be attributed to that influx. Commercial distress in this country, the existence of drought in New South Wales, and the reaction consequent on over-speculation in land, no doubt, contributed to this state of Van Diemen's Land: but I have no hesitation in saying that the transportation to this one colony of so large a number of convicts in the manner in which it took place, was one main cause for the rapid falling-off in prosperity of Van Diemen's Land, and that it has received a check from which it will be many years before it can recover. I have been told it is not the system which is in fault, but the persons who are appointed to carry it into effect; and that a greater degree of caution and energy on the part of the principal officers to whom the government of Van Diemen's Land and Norfolk Island, and the conduct and management of the convicts, have been entrusted, would have led to a different result. My Lords, I cannot adopt that opinion. In the first place, I must remark that the same Government by which the system of punishment was framed, had the choice of the agents to whom the execution of their plans was committed; but without pretending to deny that there may possibly have been faults on the part of those officers—a question on which I wish to avoid giving an opinion one way or the other—still I have a strong conviction that it was impossible for the officers and agents to whom this arduous duty was assigned, so to have discharged it under the difficulties in which they were placed, as to lead to anything like a satisfactory result. Allow me, my Lords, to remind you that it has been always a task of the greatest possible difficulty to carry on a system of punishment by means of forced labour. Whether attempted at home or abroad—by this country, or by America, or by France—it has been always found that any such system of punishment meets with very great difficulty and obstruction; but I have already observed that these difficulties and obstructions are multiplied tenfold when the system is to be worked out by a delegated authority, removed to so great a distance from those to whom they are responsible, and whose orders they are to carry into effect. In order that any system of the kind should work well, it is necessary that it should be closely watched from day to day, and that any mismanagement in it should be instantly checked; that errors—and errors are inevitable in such a system—should be noticed by the authorities, and a correction immediately given to them.

But an authority situated like the Governor of Van Diemen's Land cannot so act. He is bound, in the first place, to consult and communicate with the other officers of the colony; he is bound, if he wishes to make any material alteration in the plans approved at home, to postpone making the change until he can receive authority from this country. In Norfolk Island there is still more difficulty. The administrator of punishment in that settlement is the delegate of a delegate—the Governor of Van Diemen's Land is the authority to whom he looks immediately for his orders; and over him is Her Majesty's Government at home. The communication between that place and Norfolk Island is irregular and slow, and is kept up only by sailing vessels, so that an opportunity of communicating with the Governor very rarely occurs. If anything goes wrong in the island, there are no means of getting an improvement effected except through the long process of appealing to the authorities in Van Diemen's Land, and through them to the Government at home. But, besides all this, in any system of punishment, perhaps the greatest practical difficulty is to procure proper agents and officers to carry it into effect; and more especially is that difficulty felt with subordinate agents. I believe most of your Lordships have more or less knowledge of the manner in which prisons are conducted at home, and that you know the efficiency of a prison depends almost as much on the efficiency of the subordinate officers and overseers, as upon the governor. It is impossible for the best governor to carry out even a good system without good officers; but in Van Diemen's Land the difficulty of obtaining good officers is infinitely greater than in this country; and in Norfolk Island it is greater still. In the first place, the scale of remuneration for every kind of labour, has, till lately, been so much higher than at home, that the salary which in this country would secure the services of a first-rate person, would do no such thing in Van Diemen's Land. It has often happened that overseers and clerks employed in our establishments were tempted out of our service by superior offers from merchants and other persons in those colonies; so that, without going to much larger expense than is necessary at home, it is impossible to obtain agents and overseers of a superior description. But in a small colony like Van Diemen's Land, where, as I am afraid, party spirit at times runs very high, it is extremely difficult to get officers, who, however good they may be at first, do not after a short time become less so, and become involved in the various local disputes which are going on around them. On the other hand, the Governor has by no means the same authority to remove officers which belongs to the Home Government. He can only suspend those who have misconducted themselves; and this power of suspension is exercised with great hesitation and difficulty, because it is always liable to be reversed by the Secretary of State for the Colonies; and a lieutenant governor in Van Diemen's Land would not venture to suspend an officer unless upon a very clear case of misconduct. If an officer leaves his situation, the difficulty of replacing him in these islands is so great, that it is almost impossible to do so; and if removed by death, or for misconduct, he frequently cannot be replaced without reference here, and without sending out another person from this country, which involves a delay of twelve months. This is attended with the greatest inconvenience in Van Diemen's Land. But when your Lordships come to look at Norfolk Island, you will see that very few men such as could be employed as officers in the management of convicts, would consent to live among such a population, cut off (it might be said) from all intercourse with civilized society, having nobody to associate with except a few colleagues in the service, and the criminals of whom they had charge. I believe it is impossible that any person for a long series of years could be condemned to entire exclusion from civilized society without being more or less deteriorated, and without having his moral qualities affected by the atmosphere of crime in which he is placed. This is a very serious difficulty; and I believe one reason why the management of criminals is easier at home than abroad is, that here the governors of our prisons, and officers employed under them—though during the period when they are actually on duty, they are chiefly employed among convicts—are not excluded from the advantages of social intercourse with those who are neither employed on the convict service nor yet tainted with crime. I believe, that this is a consideration of very high importance in estimating the difficulties of maintaining the efficiency of the convict system in such a situation as Norfolk Island. These considerations it was which led Her Majesty's Government to conclude that, as by the abolition of the system of assignment the really penal part of transportation came to be neither more nor less than forced labour and imprisonment, and as that change had been carried into effect, if these were to be the main elements of punishment to which we were henceforth to trust, that punishment would be likely to be more safely and more efficiently inflicted at home than at a distance; that penal labour and imprisonment could be rendered infinitely more efficient in England than they could be by any regulations which could be adopted in distant colonies. Here there would be all the advantages of close superintendence of the practical working of the system, of the power of immediately checking any abuses, of replacing officers found inefficient, of correcting any errors that might be made in drawing up the regulations under which punishment was to be inflicted—altogether every advantage wanting in the colonies will be obtained to the fullest extent by having this punishment at home. Such accordingly is the determination on the system to be adopted by Government. It is proposed—still continuing to look to penal labour and imprisonment as the main instruments of punishment—that they shall be carried into effect at home; it is intended that no efforts shall be spared to render it as efficient as possible, to deter offenders from crime, and to improve those who have fallen into the commission of error. With this view it is intended that every criminal sentenced to transportation shall undergo a period—longer or shorter, according to the nature of his offence—of what is called separate confinement, and that no criminal shall escape from some portion of such confinement. My Lords, I think the experience of the last four years is most satisfactory as to the effects of that punishment. I think it has been proved to be most efficient in deterring offenders from the commission of crime, and in improving those capable of improvement who have committed it; but at the same time I think it requires to be carried into effect with very great caution, and that it should not be carried to a great extent. It is a punishment which should not, under any circumstances in fact, be prolonged beyond a comparatively short period. Her Majesty's Government, therefore, propose that every person convicted of a crime shall be subjected to the same process of punishment and improvement for a period according to the nature of it—not for a longer term than eighteen months for offences of the gravest character; and in the case of minor offences, for which seven years' transportation is the ordinary sentence, the period of separate confinement shall be made shorter. [Lord BROUGHAM: Eighteen months continuously?] Yes. The punishment has been inflicted for even more than eighteen months; and from the testimony of the medical authorities, I believe that period is sufficiently safe—that I understand to be the opinion of two gentlemen of great medical skill, who, as Commissioners of Pentonville, have had an opportunity of observing the effect of this punishment, I refer to Sir Benjamin Brodie and Dr. Ferguson, who, while they earnestly deprecate the prolongation of the punishment beyond eighteen months, do not think that for the gravest offences a period of eighteen months' separate confinement would be too long, provided due care is taken by the medical officers of the prison to watch the operation of the punishment in each individual case. It is clear that wherever the punishment is to be restricted to this period, a man guilty of a very heinous offence cannot be discharged immediately on its expiration. Take an aggravated case of manslaughter, where the difference between that crime and wilful murder depends on some very nice circumstance, so that the criminal escaped the extreme penalty, and was sentenced to transportation for life—eighteen months' solitary confinement would be a most inadequate punishment for such an offence. It is, therefore, proposed, that when such an offender is discharged from Pentonville or Parkhurst, he shall undergo a further period of punishment by being compelled to labour on the public works. I am aware there is a strong impression that this is a punishment liable to great objections. It is a punishment formerly carried into effect on board the hulks, to which I know objections, and I am bound to say very great objections, existed; but I cannot help thinking they apply rather to the means by which the punishment was carried on, than to the punishment itself. I do not believe that penal labour—where convicts in large bodies are allowed to associate—is necessarily productive of those evils. On the contrary, I believe these evils arise from causes which may be easily traced to other sources. In the first place, the labour of convicts was formerly enforced simply by coercion. The fear of the lash was the sole motive held out to them. The whole system was very inefficient, and the number of officers much less than what it ought to be. The provision for the religious instruction of the convicts was also utterly inadequate to the purpose; but of late years much improvement has been effected in these particulars, and I believe it can be carried much further still. We propose, then, that convicts should be employed in public works, under a system by which we hope the evils of the old system may be avoided. In the first place, it would, I think, greatly contribute to this end, if every prisoner shall have undergone a period of separate confinement, by which, I believe, that except in some of the most obdurate and hardened, an impression will be made on the minds of the prisoners, which will greatly facilitate the measures for their improvement. They will know, too, that those who have misconducted themselves on the public works, will be liable to be sent back to separate confinement; but what I look to still more is, the improvement of the general system under which the work is to be carried on. Your Lordships are no doubt aware that a plan of convict discipline which has attracted considerable attention was proposed by Captain Maconochie. I am aware that that plan, as it was tried under his superintendence in Norfolk Island, was very far from being successful; I know that Captain Maconochie urges he had difficulties to encounter there, which account for what was considered (but as he thinks unjustly) the failure of that experiment, and to a certain extent this may have been the case; still I am bound to say, looking to the whole history of the experiment, and considering the opinion formed on the subject by persons on whose judgment I have the most reliance, I am impressed with the conviction that his plan, as proposed by himself, could not practically work well; but at the same time I think there was a great deal that was highly valuable in it, and the fundamental principle he recommends was, in my opinion, a wise and a sound one. That fundamental principle, my Lords, I understand to be this — that convicts under punishment should be subjected to a system by which they should have a great and direct interest in their own good conduct; by which, from their industry and good conduct, they should not only be enabled to abridge the period of punishment to which they were sentenced, but also enjoy certain immediate advantages. I am convinced that that is essentially a sound principle; and in fact it is a system which has already been acted upon to a certain extent, since by the regulations under which convicts at Bermuda and Gibraltar are employed, their labour is performed by task, and they have an interest in the amount of that labour; and the effects of this system, which has not been many years adopted, have been highly satisfactory so far as it goes. The value of the work done at Bermuda and Gibraltar proves that the system is successful in stimulating the industry of the convicts, since it is sufficient not only to pay the whole expense of their maintenance, including the cost of superintendence, but to leave also a considerable annual gain at the expiration of the period of employment. In Gibraltar, the calculation is, that assuming the average time that each convict is employed to be four years, the gain that will accrue after paying the cost of passage money, the cost of superintendence, and that of maintenance, will be no less than 42*l.*, that is, above 10*l.* a year each. I think this highly satisfactory, not merely as showing the effects of this system in promoting the industry of the convicts; for I believe we may lay down this rule, that wherever we find labour effectively applied—where there is a valuable result obtained from the labour of convicts—we may rest satisfied that the system of discipline is not a bad one; but when, on the contrary, the value of the work done by the convicts, as in Van Diemen's Land, is very small, then we may conclude that the system of discipline is generally lax and ineffective. I do not mean to say that this is altogether a certain test of the efficiency of a system of punishment; but you may conclude, with tolerable accuracy, that great abuses do not prevail where much valuable work is done, because the very fact that men work hard shows that the convicts have little time or inclination to commit breaches of discipline. But, my Lords, hitherto the period of a man's release from punishment has not been made sufficiently dependent on his conduct while undergoing it. To a certain extent, this was always practised as to the convicts in the hulks; but I think that by reducing it to something like a rule, keeping a regular register of the conduct of the convicts (as was suggested by the instructions of my noble Friend opposite, as to Van Diemen's Land, which I think were perfectly right), a system might be carried into effect which would contribute to render labour of this kind extremely valuable as a punishment, while a security is afforded against those abuses which formerly existed to a great extent. [A Noble LORD: You have not stated the period of employment on public works.] What is intended is this, that every convict who behaves well and works industriously, and does not incur fresh punishment for misconduct, shall be enabled to obtain his discharge at the termination of half the period for which sentence was originally passed; so that if a man is sentenced to seven years' transportation, if he conducts himself well and is industrious, he may obtain his discharge at from three and a half to four years from the period at which his punishment commenced. Now, my Lords, I ought to say that in adopting this system, we do propose to retain the only real advantage which formerly existed in the system of transportation; because, objectionable as in many respects that system undoubtedly was, it was not without some compensatory advantage. That advantage was this—that whereas in this country a man whose character is once blasted by undergoing the sentence of the law, that man, at the expiration of his sentence, however good his intentions and strong his desire to give up his criminal habits and return to a life of honest industry, finds himself encompassed with great difficulties in attaining his object. Employment of every description is closed against him; wherever he goes his character meets him, and closes against him every eligible employment. In the intense competition for employment in this country, he is invariably defeated by other competitors in the race; and thus, I am afraid, it is too true that a vast number of men, after having served out their period of punishment, and who entertain a strong and sincere desire not to be led again into criminal courses, are driven again to the commission of crime by absolute distress. On the other hand, in the Australian colonies, labour is in such great demand, that generally a man, disposed to behave well, however criminal his former conduct may have been, has no difficulty in finding employment; and the convict is thus enabled, if he so likes, to restore himself to a respectable condition in society. That was, in my opinion, the only redeeming feature in the old system of transportation; and, under it, there were frequently instances of men holding tickets of leave, or conditional pardons, becoming honest and industrious members of society; many have accumulated large fortunes, their families having joined them in the colonies, and they have become respectable members of society. In one respect, the advantages thus obtained, extended to such a degree as to operate injuriously on transportation as a punishment; because I perfectly well remember seeing a letter written by a transported convict, in which the writer said to the party whom he was addressing, "You remember So-and-so: he was transported for sheep-stealing, he now lives at So-and-so, keeps a gig, and is a very thriving gentleman." Now, a letter of that kind was not calculated to cause transportation to be regarded at home as a very formidable punishment. Nevertheless, we may, I think, retain the advantages of transportation, and reject the evils by which it has been too often accompanied. Her Majesty's Government propose that at the expiration of their period of imprisonment and penal labour, all convicts should be required to go to the Australian colonies, not strictly speaking as a part of their punishment, since on the contrary, we hold it to be really an advantage that the criminal should, at the end of the period for which he is sentenced, be enabled by his industry and good conduct to raise himself in one of our colonies to a better situation of life than he could in all probability reach at home. We, therefore, propose that during the latter period of his punishment—his employment on public works—the convict shall receive nearly the full value of his labour—not in money payments at the time (except in small sums, to keep industry alive), but in an accumulated sum at the expiration of his period of punishment, so as to afford him the means of emigrating. It is further proposed, that the convict who thus earns the means of paying for his own conveyance to the colonies, and who has conducted himself for the required time to the satisfaction of the superintending officers in England, shall receive a conditional pardon, the condition being that he shall not remain in England. Under this system, convicts will be placed in the same situation as if, under the existing system, they had incurred the preliminary part of their punishment in Van Diemen's Land, where the convicts who behave well receive conditional pardons, by which they are enabled to go to any part of Australia, and are to all intent free men, except that they must not return to this country. I may say, that at present there is not in general any strong desire to return to this country, as they find it far more advantageous to remain in the colony. In the same manner it is proposed that conditional pardons should be given to offenders at the termination of their period of employment on public works in this country. I am encouraged to hope that this system may be attended with beneficial results, in consequence of what I have observed with respect to the exiles to Port Philip, of whose progress satisfactory accounts have been received. The accounts relative to the exiles sent to Van Diemen's Land are less satisfactory on the whole, in consequence of the unfortunate state of things existing there, as the exiles have latterly found in that place as much difficulty in getting employment as they would at home. Owing to the excessive number of convicts who have been sent to Van Diemen's Land, the advantage of certain employment no longer exists: there is now difficulty in their getting employment; a great many, after being promised freedom, are obliged to remain in the "hiring gangs," because they are unable to find persons to employ them; and, according to the last accounts, above 3,000 persons were still in these "hiring gangs." Consequently the exiles sent to Van Diemen's Land have not done so well as might have otherwise been expected; but those sent to Port Philip, where the demand for labour is great, have done exceedingly well, and the report with respect to them is in the highest degree satisfactory. I trust, therefore, that when these offenders, who shall have been subject at home to punishment, and to the system of treatment which will not only be of a reformatory kind, but which will be directed with the view of teaching them those branches of industry most valuable in the colonies—I trust, and indeed I have not the least doubt, that on their arrival in Australia they will be welcome to the inhabitants, and that their emigration will be attended with great advantages both to the colony and themselves. It is not proposed that these men should go out without their families. With respect to the exiles to Port Philip, after so short an imprisonment as they underwent, it would have been impossible to allow their families to accompany them without making the punishment nugatory—indeed, something like a reward. But with respect to offenders who shall be employed in this country in penal labour on public works, in addition to a period of confinement, and who subsequently shall be sent abroad at their own expense, the cost being defrayed out of their own earnings, the same objection will not apply, and their families may go with them; and to this I attach great importance. To go on with any system which should keep up that frightful inequality of the sexes which has hitherto existed in Australia, would be altogether inexcusable in the British Government or British Parliament. We are bound not to allow such a state of things to go on. But care being taken that the punishment of these exiles shall be first reformatory, and then conducted according to a system which shall secure to them an industrial and intellectual education; care being taken that no man shall be cast out from these places of punishment without knowing at least how to read and write, without being taught to know his responsibility to his Creator, as well as those particular trades which are most likely to be of use in the colonies—pains of this kind being taken beforehand in preparing these men for the life they are afterwards to lead, I am persuaded that there will then be found a class of persons whose going to the colonies will be attended with no disadvantage whatever. This will be more likely to be the case if, as I hope, it should be found possible that they may be sent out in such a manner as not to be recognised as criminals on their arrival. I see no reason why arrangements should not be made by which their passage may be made in emigrant ships, so that they would go out among other free emigrants, and on their arrival would be undistinguished in the general mass of emigrants, and would not be recognised as criminals. Of course many of them will be so recognised; but if their general conduct is such as I trust it will be, they will have no difficulty in getting over any prejudices which may arise from their former life; for as your Lordships are aware a public meeting has been held at Port Philip, at which there was a strong expression of feeling in favour of a larger number of exiles being sent there, I think it is of great importance that it should be made perfectly clear that this emigration was not a part of what might be strictly called the penal portion of the sentence. This emigration is not part of the punishment which they had to undergo, but it is a security against their again falling into crime, and an advantage to themselves. With this view I propose, with respect to those convicts for whose future good conduct trustworthy persons in this country shall consent to be responsible, that they shall be relieved, if they so think proper, from the necessity of emigration, and their sentence will be considered complete when they regularly quit the public works. I attach great importance to this point, because I know that it will be asserted, that to revert to exile as a punishment is a step in a backward direction, and that it is reviving a barbarous and exploded system. I cannot altogether admit this; but, on the other hand, in order to maintain the efficiency of the system, it should be made clear that this emigration, which is an advantage to the individuals, is not to be considered as a part of the punishment. The criminals should be taught to regard the imprisonment and employment on public works as the real punishment, and not the emigration by which they are followed. I shall now point out the mode in which it is intended that this system should be carried into effect. On this head I have the satisfaction of informing your Lordships, that in the course of the present year it is calculated that means will be available in Great Britain by which every convict sentenced to transportation can be made to undergo the proposed preliminary period of separate confinement. The prison accommodation in Pentonville, Parkhurst, Millbank, and some of the county prisons, is sufficient for the purpose. Your Lordships are aware that since the change which took place last year, and according to which the maintenance of the convicts in the county prisons is charged on the public, county magistrates have no objection to the spare accommodation of county prisons being made available for the general wants of the public. Therefore, when in county gaols there are certain cells not immediately wanted, these cells will be made use of for convicts sent from other parts of the country. With respect to the convicts sentenced in Great Britain, there will be no difficulty in the present year in carrying into execution this part of their sentence. In Ireland I am sorry to say that the same is not at present the case. There is not sufficient accommodation for the separate confinement of Irish convicts; but no time will be lost in providing that accommodation; and it is proposed that a prison shall be built in Ireland for the reception of Irish convicts. Now, with regard to the disposal of the convicts sentenced to transportation after passing their period of imprisonment in separate cells, it has been found on an examination into the available means at the command of Government, and on a calculation of the probable number of convicts to be disposed of, that for that number we shall be able to make provision; I have the assurance of my right hon. Friend the Secretary for the Home Department, that no serious difficulty will be encountered as to this part of the proposed change. Of course it will be necessary for the present to make use of hulks; but every effort will be made to improve the system of discipline on board those hulks. Already a good deal has been done in appointing additional officers for the management of prisoners, and in taking all the precautions in our power for the maintenance of discipline. But after all, I admit that hulks are but imperfect prisons, and I am of opinion that prisons on shore should be substituted for them as soon as possible. It is intended that the convicts should be employed where great public works are in progress, and removed when these are completed. In Portland, there are now public works in progress, and Portland itself possesses great advantages for a permanent convict establishment. Being a peninsula, it admits of arrangements for the safe custody of the convicts, while at the same time they can labour out of doors. But, further, a great quantity of stone will have to be quarried for various public works in progress, at which labour the convicts may be most advantageously employed. With reference to harbours of refuge, fortifications, and such works, which I know the noble Duke (the Duke of Wellington) is anxious to see completed as soon as possible, the labour of convicts will be of great value. The engineer officers whom I have consulted, are of opinion that the convict labour on such works will produce to the country a full equivalent for the cost of their maintenance, including superintendence and every other charge. My own opinion goes that length also. These are the measures proposed to be adopted as to male convicts, for all my observations have been made with reference to adult male convicts only. With respect to female convicts, it is determined they shall be sent to Van Diemen's Land for the present. Considerable pains have been taken to ensure a better system of discipline for female convicts in Van Diemen's Land; and considering the difficulty of disposing of them at home, it is thought best to send them there for the present. With respect to juvenile offenders, a modification of the system now proposed will be necessary. That is a part of the subject which will be soon brought under your Lordships' notice, and for the present I postpone all reference to it. Such are the grounds on which Her Majesty's Government have come to the conclusion that a change of policy ought to be adopted; and without further observations I beg to move the second reading of this Bill.

Lord BROUGHAM: Nothing could be more satisfactory to him than to express his approval of the distinct, clear, and candid statement which had just been made by his noble Friend. He would not then enter further into the nature of the proposed alterations, than simply to state that considerable doubt remained upon his mind as to the propriety of totally abolishing the punishment of transportation. He had come to the same result as the Government, with respect to a great diminution of the punishment, not only from the evidence contained in the books on the Table, but from a long experience of and constant attention to the subject; and after examining many of the highest authorities on criminal police, he had satisfied his mind that the punishment of transportation must cease as a general infliction; but he was not prepared to say that it ought to be wholly abandoned. He remembered that in 1832 or 1833, Archbishop Whately addressed a letter on the punishment of transportation to the revered and lamented father of the noble Earl. His lamented Friend and then respected Colleague and himself agreed with the Archbishop in all but one thing: they were unwilling to give up that system of punishment absolutely in all cases. He was still of opinion that it was a punishment which would be good for certain cases; those cases to form the exception, not the rule. The objection to transportation, besides those of a political and a moral nature, was the entire and incurable inequality in the aspect and the nature of the punishment, inasmuch as to some it was the greatest punishment which could be inflicted upon them, short of that of death; while to others it was only a moderate sort of punishment, the object of dislike and aversion; and to a third class, it was little or no punishment at all. That was the great objection to transportation — that must never be lost sight of; the aspect of the punishment was various to the different individuals to whom it was addressed as an example. But he still doubted whether it was safe to abandon it absolutely and altogether. We ought not to give up, rashly or inconsiderately, any branch of our penal system. Many eminent and humane individuals were strongly against all capital punishments: he could not agree with those persons, because, although they might not inflict it more than three or four times in the year—although it might not be necessary to inflict it more frequently—nevertheless he would not give up the punishment of death—he would maintain it even for those comparatively few instances to which it might be peculiarly applicable. Precisely for the same reason, he was doubtful whether they ought to abandon—whether they ought to deprive themselves of the power of—punishing some criminals with transportation. If that punishment were confined to a few cases, the main objection to it would be at an end—then its inequality would cease, and the penal settlement would be manageable. He would confine that punishment to persons who had moved in a superior rank of life, because to persons of that description the punishment of transportation was an awful punishment indeed—it was the most awful punishment which could be inflicted on them short of death. A few years ago a malefactor of that kind was so punished for a gross fraud; he would say no more of that case, because the punishment was still in force, than that for such a case transportation was the proper punishment. An individual had been tried the other day before his noble and learned Friend (Lord Denman); if he was in a state in which punishment ought to be inflicted at all, he ought to be subjected to a punishment of that description—to a person of that class it was a punishment only short of death. Again, and promptly, those curses to society, the receivers of stolen property—those who carried on that detestable trade, with whom the law was in perpetual conflict, out of which the law rarely came victorious—those persons carried on their detestable trade with some amount of capital—they were persons who were outwardlyreputable—persons who in the eyes of the world had, at least, an apparent respectability—to such persons the punishment of transportation would be almost as bad as the infliction of capital punishment. They were the upholders of all offences against property—they were at the very root of crime—they were the cause of all the depredations which were committed by thieves of all ages and descriptions, who infested society in the present day. It was melancholy to think of the misery they occasioned. Those in the profession to which he had the honour to belong, would recollect cases where an honest man's hopeless bankruptcy was actually traceable, link by link, to the facilities given to his servants or others for robbing him by the receivers of stolen property. To those persons transportation was the greatest terror, for it utterly destroyed their vile trade; and therefore he would be reluctant that that punishment, so well adapted to this case, should be abandoned. The only other part of the plan of his noble Friend upon which he would make any observation, was one to which he could not agree. He entertained some doubt as to the possibility of the deportation of the supposed reformed criminals being so easily effected as his noble Friend seemed to expect. On that subject he entertained some doubt—he entertained none whatever as to the exile. When a person was partly or nearly reformed—when he had obtained the necessary certificates, he was to be sent to Australia in an emigrant ship—not as part of his punishment, oh, no—not as part of his punishment, only he must go. Well, whether it was to be part of his punishment or no, still he was to go out as an emigrant, and, as his noble Friend said, he was to go out without his fellow-passengers finding out that he had been a convict. Unless he and his family had lost their powers of speech, it would not be long before a line would be drawn upon the deck, to one side of which the emigrants would adhere, and the convict and his family would be confined to the other. But as to the exile, he had no doubt whatever. That, in 1847, they should be restoring the old abandoned cases and obsolete punishment of the Scotch law of banishment, was most extraordinary—a punishment which was reprobated and ridiculed by Sir George Mackenzie, as long as 180 years ago, who denounced it as a barbarous and inhuman practice—inhuman, to send your convict population to your neighbours; and impolitic, because it was a game which two could play at; for your neighbours could send you their convicts in return. Such was the view of the earliest writer upon the subject; and Mr. Alison, the latest, was of a similar opinion; for he said, that the penalty in question was an exploded punishment, and one only fit for an infant state of society and legislation. Now, he was fully of Mr. Alison's opinion. For let us consider for a moment how the system would work. As soon as the time of penal labour was over, would come into operation that part of the sentence which would send the convict abroad. But it was said that this was not to be made a part of the punishment. Well, but was he to be allowed to go abroad or stay at home, just as he pleased? If he must go abroad, that necessity was just as much part of the punishnment as it was part of the sentence. He was to be compelled to go. He may say, "As it is not part of the punishment, I shall not go." "Oh, but," say you, "although it is not part of the punishment, you must go." "Oh, then," says he, "if I must go, it is part of the punishment." His noble Friend said it was necessary, in order that he might not fall back into his course of crime—it was necessary, in order to protect society; but if it were to prevent him from sinning again, why not put him to death? They might say to the partly-reformed criminal, after he had served his proper time in labouring on the public works, "This is no part of your punishment; but, in order to prevent you from returning to your bad courses, we are only going to remove your head—but, remember, it is no part of your punishment; we only want to protect society." It was just as a surgeon might say to a patient of amputation. It was all a question of removing. In the latter case it was of removing a limb; in the former, of removing a head. They might say, "We are only going to remove your head; it is no punishment." So of this plan. "It is only exile; you are only to be removed; it is no punishment; the exile is only compulsory." But, after all, where were they to go to? If they may go where they like, they may go to Calais. Well, when they got there, what was to prevent them from coming back again? How could that be provided against? No means existed to do so. The Liverpool convict would come to London, and the London one would go to Liverpool; and no one could prevent them from doing so. He certainly should like to see what would be said at the French custom-house upon the arrival of a cargo of live convicts. The officer would inquire of the captain of the ship, as to his cargo, "Is it hams, or carcases, or food, or manufactured goods?" "Oh, no," would the captain say, "oh, no; no hams, but convicts." "Convicts! what sort of goods are they?" Then the captain, mustering his best French, would explain, that they were merely thieves, highway robbers, perjured persons, who had, by the breach of all sorts of duties at home, become liable to an importation duty abroad. He was afraid the French would soon put on a prohibitory duty upon the importation of such cargoes; most undoubtedly they would not like them to come into their country. The authorities would say, "Oh, you can't come here without passports, and we shan't give you any." Or, at all events, were they to be admitted, it would be on the reciprocity principle. If we send our convicts there, we must expect them to send their convicts here—a process which would by no manner of means increase the benefits and advantages of the *entente cordiale*. He had no doubt but that on further consideration this part of the plan would not be adhered to. They might preach to the end of time to the French —they might say, "These men have certainly been ruffians, but they have as certainly ceased to be so;" and you will still be answered thus: "How do you know that? They are probably just as bad as ever." "No, no," you will rejoin, "they come with excellent certificates from the chaplain of Pentonville vouching for their reformation; they have earned I know not how many of Captain Maconochie's marks. You may safely take them; they are most excellent worthy people." "But," says the mayor of Calais, "if they are such excellent, worthy people, why won't you keep them yourselves? We don't want them. We have plenty of excellent, worthy people, of the same description. We have numbers in every rank of crime, and every degree of reformation and improvement; therefore, keep your good people on your side of the water, and we will keep our good people on ours." The plan would not bear serious investigation — it was introducing into the English law the punishment of banishment, certainly not for the first time, because it was enacted as a punishment by one of the "Six Acts," against the enactment of which he and his noble and learned Friend (Lord Denman) had fought most strenuously, although unavailingly; but it was never once put in force. That punishment, however, was attached to an offence which would have proved no stumbling-block in the way of persons suffering it being received in France — it was enacted against political libellers. Now, the French might have no objection to receive a few political libellers from the Strand, although they might have a strong objection to the importation of a few highwaymen from St. Giles's. Some other parts of the statement of his noble Friend were exceedingly satisfactory, more especially those relating to the improvement of prison discipline. To carry into effect a proper system, would require a very considerable expenditure of the public money; but in what way could it be spent with more advantage to the country? A bad and vicious system of prison discipline, was caused by the want of good prisons; and he trusted much time would not be allowed to elapse without a large number of gaols being provided, each having the means of affording industrial employment to their inmates, either in the field or the workshop. To talk of the expense of providing these, was absurd and grossly inconsistent. They were spending hundreds of thousands on matters useless as compared with this. The abolition of the system of transportation, or even if it were maintained within the bounds which he approved, would put at their disposal a revenue of 4 or 500,000*l.* a year. That was the cost of the system, besides the cost of the penal settlement itself; and that sum would provide not only proper gaols, but also provide them with proper workshops. He was exceedingly happy to hear the statement of his noble Friend with respect to the working of the convict system at Gibraltar. He had entertained no expectation that the clear gain from the labour of a convict would amount to 12*l.* per year, and that after paying the expense of carrying him there, his maintenance, and in fact, all expenses to the Government. [Earl Grey: It did not include the cost of the hulks.] No; but still it was gratifying to find that his labour provided the convict with food and clothing, and left a residue of 12*l.* a year. That was a fair encouragement to extend the system still further, and make all confinement be accompanied by industry.

Lord STANLEY was quite aware that there were few of their Lordships who were not more competent to address the House on this question than himself; but he hoped that he might find an excuse for making a few observations upon it, in the circumstance that he had formerly held the office of Colonial Secretary, and during that period had taken and still continued to take a deep interest in the subject immediately under consideration. He was anxious to take this opportunity, because, if he rightly understood his noble Friend opposite, it was likely to be the last opportunity their Lordships would have of expressing their opinions upon the proposition before them—of stating his views with respect to that proposition. No doubt the measure was brought forward in a laudable desire of improvement; but he must not, at the same time, hesitate to say that he thought Her Majesty's Government were rather hastily adopting summary and extensive changes, and departing from a system which might have been, and no doubt was, at the present moment, subject to considerable abuses, but which was yet, in his opinion, valuable to a very great degree. The subject was one of very grave importance; and he must express his regret should this be the last opportunity their Lordships were to have to discuss and to consider it, and, if they should think necessary, to interfere with the course about to be pursued with regard to it. Because if it were competent to the Government and to the judges of the land to commute all past sentences of transportation to imprisonment, the object of the Bill was clearly not to be applied to individual cases, but to introduce an entire change in our system of punishing crime—a change which he believed would be most doubtful in its effects; and therefore he said, that such an important step ought not to be taken without receiving the fullest consideration at the hands of Parliament, and receiving also its sanction by an act of its own. He was afraid that there had been a good deal of haste, not only on this occasion, but on former occasions, in dealing with the question of transportation. He, for one, entertained very great doubts as to the policy of abolishing the punishment of transportation; for he believed that transportation, looking at it in the two points of view in which they ought to look at all descriptions of secondary punishments—namely, as a means of deterring persons from crime, and for the reformation of the individuals who committed crime—looking at it in these points of view, his belief was, that transportation was the punishment most dreaded by the hardened; the one which produced the greatest effect on those on whom it was passed, and on those who heard the sentence pronounced. Those persons who would, under the noble Lord's measure, be sentenced to three and a half years' imprisonment, and afterwards to hard labour upon public works, would, he was quite sure, look with very different feelings upon a sentence of transportation for twenty, fourteen, or even ten years. He was decidedly of opinion that the system of transportation could be carried on with the advantage of promoting the reformation of convicts, as well as the punishment of them. The opinion of the Committee which sat in 1821 was open, in his opinion, to great objections. It was quite true, as the noble Earl had observed, that the system of assignment as a punishment was very unequal, because very much depended on the temper and character of the masters to whom the convicts were assigned. To some convicts it was a heavy punishment; to others, a trifling one; and to others again, it was no punishment at all. This he would concede; but still, after the convict had undergone a period of penal labour in the colony, the system of assigning him for a period, at the end of his punishment, was in many respects a good one. If facilities and checks, which might have been devised, had been adopted, the convict, after undergoing a more severe punishment under the superintendence of Government, would have been, on his assignment, again introduced into private life and uncontaminated society; an event which was of itself capable of producing, and did produce, the most signal advantage to the character and disposition of persons subjected to that punishment. He thought that a hasty step had been taken in 1840, when the Government determined that transportation to New South Wales should altogether cease, and that Van Diemen's Land should be the single point to which the flood of convict emigration should be directed. He would also remark, that the abolition of the probation gangs had been coincident with the decline in prosperity of the former colony. Nothing could have been more unfortunate than the adoption of the new system, and nothing could have been more difficult than the state of affairs the local government had to contend against in consequence. He repeated, that he was perfectly satisfied that transportation had, generally speaking, acted, and was at present acting, beneficially on the persons who were subjected to it. He would not trouble their Lordships with any observations as to the nature of the horrors which were described in the papers before the House as having taken place in our penal settlements; they were almost too dreadful to contemplate. One could scarcely believe that such things could have occurred; and he had no doubt whatever that they would not have occurred if a proper system of superintendence and watchfulness had been established—if ordinary precautions had been adopted, the disgusting facts which were described in the book before him might, in every instance, have been prevented. But, let their Lordships look to the general picture before them as to the condition of the convict under the system the Government were about to abolish. The evidence all showed that a great improvement had taken place in the condition of the convicts. He took it from a letter which had been published by the noble Earl opposite in the papers laid before the House, from the Rev. Mr. Fry, who was not an advocate for the continuance of transportation, except for minor offences. He (Lord Stanley) would first however, take the liberty of reading a passage from a petition on the "probation system," which was presented to the Governor in August, 1845:—

> "We would desire to cultivate and express gratitude to Divine Providence that our moral condition is so good, rather than aggravate its evils or anticipate its deterioration. Our metropolis does not yield to any seaport and garrison town of Great Britain, of equal population, for orderly conduct and regularity in the streets. The convicts present no appearance shocking to humanity. The clank of chains is now seldom heard; and the deportment of free labourers, grateful and respectful, has succeeded to the scowl of malignity with which the assigned white slaves regarded their owners."

Now, he must say, that it was a scandal and a shame to this country, that until the year 1842 we had not provided a minister of religion to attend to the spiritual wants of the unfortunate convicts we sent out to our colonies; and it was a matter of great satisfaction to him that during the period he held office, he had sent out several Protestant ministers and Roman Catholic clergymen to give spiritual instruction to those persons, and he believed that their efforts had been productive of very great good; and he was rejoiced, moreover, to hear from the Roman Catholic bishop who had recently left this country on his return to the colony, that although he bore witness to many of the horrors stated in these papers, yet he was convinced that the want was not in the system itself, but in the manner in which it was administered. He said that these horrors were capable of being checked, and in his judgment the continuance of transportation as a secondary punishment was absolutely necessary. But to return to the petition from which he had already quoted. It went on, in another part to state—

> "Twelve or fifteen ministers of religion pursue their holy calling to congregations very numerous in proportion to the population; and the charity of the community has been often so exemplified as to reflect upon it the highest credit. Religion has taken deep hold in the community, and every Protestant family have their Bible, and means and opportunities of religious service and instruction. Parents in every condition of life exhibit a strong desire for the general education and the religious instruction of their children; and in proportion to the population the number of children in this colony attending school is vastly greater than that in England, and perhaps exceeds that of any other community. For the first time in the history of mankind, reformation has been adopted as the principle of penal discipline. In the prisons of Great Britain, reformation was found impracticable, for the discharge of the offender was his return to the scenes and companions of his crimes. The treadmill became the place of concerting future robberies, and the termination of sentence delivered the criminal as to a triumph among his accomplices awaiting his discharge. It was thus found that the same criminals were constantly returning to a repetition of punishments, amounting in some cases to an almost incredible number. The temptations and opportunities for crime were as great as the motives and means of reformation were small. The transportation of criminals to a distant country, where honest labour was well remunerated without the facilities for theft which existed in the great towns of England, seemed to supply the desideratum, and was carried into effect in these colonies. For forty years the Government was content to land the convicts on our shores, and to distribute them among the settlers, without providing adequate means for their protection or instruction. Representations and reports from this colony stigmatizing the assignment of convicts as a "white slavery," and describing it as full of horrors and iniquities, led the Government, after an inquiry by a Committee of the House of Commons, to abolish assignment and adopt the probation system. Then, for the first time, an attempt was made to Christianise the convicts. For periods exceeding two years, the probation men are taught in schools the principles of religion and to read the Bible. They are instructed in religion by religious teachers, and join in daily worship. Their habits of vice are broken off, and regularity of life is practised. Drunkenness, the cause of calamity to most of them, is stopped, if not cured; habits of obedience, submission, and labour are acquired; and if not reformed at heart, they are dismissed to society with a knowledge of religion and morality, and the practice of a regular and orderly life. In the probation gangs, the men receive instruction gladly, and repay their instructor, if he be kind and attentive, with gratitude and respect. The discipline is maintained by the moral influence of the system; and the men patiently obey its directions from a sense of the mercy and interest for their welfare which it displays, from the hope which it opens of honest independence, and from the exact impartiality with which it is administered. That so many parties composed of such materials, and almost abandoned to self-discipline, should have so long lived tranquilly in remote

districts, unawed by a surrounding force, is a subject of great thankfulness, and a practical evidence of one great attribute of the system—that it can exist by its own power and influence upon the men."

In the month of August, 1846, Mr. Fry, in letter addressed to the noble Lord opposite, referring to the statements in the petition, says—

> "I gladly declare that the statements in that paper, of the wonderful tranquillity, security, and good order of the colony, are completely true, and that the condition of the emancipists, ticket-of-leave, and probation passholders, is not inferior to that of persons in the same stations and occupations in England or elsewhere; that the presence of convicts has not a seriously demoralising effect upon the habits or manners of the free inhabitants, male or female; and that instances of reformation and of respectable conduct in the convicts are very common, and delightful to witness."

And, again, he adds, in the same letter—

> "As a proof of the benefits of transportation, I may mention that I have married above one hundred discharged convicts within the past year, and that I believe the great majority of them are living in a condition equal to that of persons in similar stations in England. Lord Stanley's remark that this colony is useful as affording a central station for the dispersion of convicts to neighbouring colonies as free men, is daily borne out by fact, and is most true and beneficial."

With regard to the stages of punishment, he believed that no difference of opinion existed. He approved of the system of the local authorities issuing conditional pardons in Van Diemen's Land, which were available for all the Australian colonies. Convicts who had obtained tickets of leave were permitted to diffuse themselves over the continent without a violation of the engagements of the Government not to send convicts to those other colonies. He believed that his noble Friend admitted the principle of the infliction of severe punishment in the first instance for a certain definite period; from thence successive stages of greater or less restraint, till gradually, by good conduct, the convict should be suffered to emerge among the free and uncontaminated population. But the question was, under what circumstances the preliminary punishment might be effectually carried out; and what was the best manner of sending the convict again into society? The Government could not escape from this difficulty: after the sentence should have been undergone, the convict population must be poured forth on the country; and what, then, was to become of them? The noble Earl (Earl Grey) thought it best that the preliminary punishment should take place in this country, and that the punishment of transportation, in name, at least, should be abolished. Still it was necessary that the convict population should be poured forth from this country; and where was it most likely the Government would find the means of coercion, and secondly the means of severe penal employment—in the colonies or at home? Whatever the difficulty might be of finding the means of coercion and severe penal employment in distant colonies, that difficulty would be much increased if they endeavoured to find them at home. Considering the vast scale of offences subjected to the punishment of transportation, he was afraid there would not be that distinction between the highest and lowest grades of punishment which ought to be kept up. A man would not much care whether he received six months' imprisonment, which was to be the minimum, or eighteen months, which was to be the maximum; and thus the punishment of penal emigration, or whatever it was to be called, would cease to be a terror to evil-doers. The question of expense, in such a case, was a minor one. If the expense of such a system proved greater, but if, at the same time, it was necessary, then this country would look with comparative indifference on an additional expenditure of 100,000*l.*, 200,000*l.*, or 300,000*l.* a year. He thought, however, it would be found difficult to apply the system, even at the very outset. He believed the proportion of the male adult population annually sentenced to transportation, was, as nearly as possible, 4,000. It would be necessary, therefore, to begin by finding accommodation in prisons such as Pentonville or Parkhurst for that number annually. From preliminary imprisonment, you were to pass to employment on the public works. Assuming the imprisonment to be half the time of sentence to transportation, that would give five years employment on the public works as the average time of the convicts; that was to say, setting aside calculations for casualties and mortality, they would have five times 4,000, or 20,000 male adult convicts not in one year or five years, but permanently employed on public works. He ventured to say that that was a system which must infallibly break down. He said that it was a system which would revolt, in the first place, the feelings of the people of this country; which, if applied extensively (and if not so applied it could not be applied at all), would seriously interfere with the demand for ordinary labour; would throw the whole Government employment for important works, which now employed an industrious population, into the hands of a convict population, who would labour on these works, well fed and well kept, and with the further promise that at the expiration of their sentence they and their families should be sent, as free labourers, to some of the colonies. It would operate as a gross injustice on honest industry, on the unconvicted portion of the population. They had hundreds and thousands of industrious people begging at their hands for that very boon which they were going to confer on the convict at the expiration of his sentence. He might truly say that emigration was no part of the sentence, because when they had gone through the penalty attached to the crime, they would be placed in a situation in which many of their industrious countrymen were begging to be placed. Let the House look further at this question of emigration, as it was proposed to be carried out. They had had some little experience of the feelings in which the different colonies of the empire regarded the presence of convicts. He did not go the length of assuming, as his noble and learned Friend (Lord Brougham) had done, that the Government would send those people to France, or to any other country in which they might desire to settle; but the only evidence they had of the intention of the Government in this respect went to show that they proposed to furnish these convicts and their families with the means of emigration, and to compel them to emigrate. To whom was the choice of the place to be left? Were they to be allowed to choose, out of the whole range of our colonies, that to which they would prefer to be transferred at the expense of the State? And were they to be there under no surveillance, and to be restored, uncontrolled, to society? His noble Friend must not deceive himself as to the result of such an arrangement. Every emigrant ship, if there were to be any efficient system of control, would be known to convey in her a considerable number of convicts. If not, a practical fraud would be committed on the honest emigrant, who would suppose that he and those with him were leaving the country in honest society. Well, then, if it was known what was the character of such portion of those on board, there must necessarily be a separation between them and those of good character, so that there would be a brand upon every man who had been of the convict class from the moment he arrived on shore. He would be regarded only as a convict sent out to fulfil his sentence. He would mention a proof of this. When he was Secretary of State for the Colonies, he felt very anxious to send out a very limited number of the best and most reformed of those who were in Parkhurst and Pentonville prisons. After many difficulties the authorities of Port Philip were induced to consent to allow fifty of them to be sent there. What was the result? Why, that even so small a number gave rise to complaints, and petitions poured in from every British colony that they might not suffer the contamination of being made a penal colony. The Government of this country had pledged itself that New South Wales should no longer be a convict colony. Would it be keeping faith with that colony, if, in the teeth of that promise, substituting for the system of transportation punishment here instead of at Norfolk Island, we said that at the end of a certain number of years, there should be, not transportation, but compulsory emigration, to the extent of 3,000 or 4,000 a year to New South Wales? That might be keeping the promise to the ear, but it would not be keeping it to the sense. But you might say that these persons would be dispersed through all the colonies. The only result of that would be an universal outcry and clamour from every one of them. But how would it act? The expenses of the convicts, it seemed, were to be paid out of their wages. Of course, then they would wish to be sent to the nearest or the most advantageous place. The greatest portion would bo glad to be sent to Canada or North America. Would Canada be satisfied to be made the *cloaca maxima* of the convict population; or would the State of New York be satisfied to be made one of the deposits for the comtamination of this convict population? By this system it was proposed to do more than to allow them to go; we were to compel them to go; we were to pay for them; we were to find a passage for them; we were to send out officers to see that they did go; and yet we were called upon to suppose that foreign countries and our own colonies would be deluded into the belief that this was not a virtual renewal of the system of transportation. He was convinced, then, that they might change the name of transportation by this system, but they would not alter its nature. Although you might say that

Van Diemen's Land was no longer to be a penal colony, you would make every colony more or less a penal colony. Whilst purporting to keep the colonies uncontaminated, you were unduly pouring in a vast stream of convict population. Yet the preliminary system would involve the country in a great expense, while few, if any, greater facilities of reformation would be afforded than might, at a very little more expense, by the employment of efficient officers, be had in the colonies themselves. The public works system, he was convinced, for the reasons he had stated, must break down. Now he must say, on the whole, that he conceived it would be more advantageous to limit, if it was desired, the extent to which transportation should be carried; not applying it indiscriminately, and, above all, not to juvenile offenders to the extent it had been; making the sentence of imprisonment by law more frequent, and that of transportation more infrequent; but when imposed, not systematically departing from it, and substituting something else in its stead: if the number of convicts sent to penal colonies being thus diminished, an official control, watch, and discipline were maintained, and a proper superintendence established, under a system, for the reformation of those convicts, who might be subjected to a discipline equally good with that proposed to be effected by this preliminary system at home—who might be employed in clearing land, in quarrying stone, and building public works—in every way, in short, that would not interfere with individual labour; so that at the last, as their terms expired, they might be able to transfer themselves by twos, and and threes, and fours, to neighbouring colonies, not being sent by the Government, and so become a benefit to, say Van Diemen's Land, or other colonies similarly situated; and thus all the advantages obtained, with none of the disadvantages that were expected by the noble Lord from his system of primary punishment. He doubted much, too, whether the immediate change proposed would not be too summary and hasty before it was possible to get into full operation that by which it was proposed to replace it; and whether, also, it would not in fact introduce greater abuses than those which they sought to avoid. He had taken the liberty of expressing his doubts on the subject; and he might be allowed to add the expression of his hope that no final and irremediable step would be taken by the Government without the Parliament and the country being afforded a full opportunity—he hoped by Act of Parliament—of expressing their opinions on the details and the probable practical workings of the system proposed—a system which had reference to almost the most important question which could affect the social happiness and the morality of this country.

Lord DENMAN said, it was highly gratifying to know that the Government had bestowed so much attention on so important a subject, and that it had been discussed in the manner it had been. If, in the short time he had had to look at the papers on the Table, he had the least right to give an opinion on the details of this proposed system, he should beg leave to say that he was extremely rejoiced that the Norfolk Island establishment was to be broken up, and that, in the present state of the authorities of Van Diemen's Land, and the circumstances there with respect to transportation, the system there should be for some time suspended. But when he heard it proposed that that great power which consisted in the terror of transportation should be abolished; that that great terror should be withdrawn from the minds of those who, if not actually criminals, might be contemplating crime, he could not but regard such an intention with the greatest possible dismay—he could use no lighter term. Suppose the case—not of the poor, the ignorant, or the sinning, because not better instructed; but of those who might be leagued together for the purpose of crime or of stimulating crime, who, with large capital and well-constructed and contrived association—suppose those men were told, as they would be, "whatever crime you commit, you shall not be transported for it," he (Lord Denman) could not but view with some alarm the consequences which were likely to ensue from such a course, in the extension of crime, and in its effect on the security of all persons in this country. He did not believe that the punishment of transportation was without the greatest terror for offenders. He could state from his own experience, and, he believed, he might say from that of all the judges for some years past, that they had all seen examples—not constantly, but on many occasions—of the overwhelming terror of transportation. No person could witness a sentence of transportation being passed in a court of justice, without being struck by it; there was no person pausing on the verge of crime, who would not be deterred by it. He did not wish to repeat what his noble Friend had so forcibly stated as to the effect of transportation; but there was one fact which had rather been lost sight of, and that was the great importance of removing influential persons, whether by their talents, wealth, or habits, from all connexion with those whom they probably were paying, employing, and instructing daily in the commission of crime. The receiver of stolen goods was often a man of perfect respectability as to his general appearance and conduct; he paid his tradesmen regularly; he had a long beadroll of witnesses as to character, meaning punctuality in the neighbourhood in which he resided; but that man was a normal teacher to the extent of thousands of young convicts, who were kept in full pay and employ by him. If he was convicted, was it no terror to him, surrounded by the comforts of life, to be told, "From the moment of your conviction by the law, you are no longer a subject of England, except that you may be punished; you shall no longer corrupt the young; you shall go where you can commit no more crime, where you can produce no more criminals; and the sentence which will be imposed upon you will be instantly carried into effect!" He apprehended that no greater benefit could be conferred on society than the removal of such a person from the sphere in which he had been working; and assuredly transportation would at once be a great terror to him, and afford a beneficial example. The infinite multiplication of resident criminals was of very serious consequence. All these persons had friends and connexions with whom they might be in daily communication in some mode or other, and they might endeavour to excite the compassion of the public. And, as the noble Lord (Lord Stanley) had very truly said, the proposed system was very likely not to be carried out at all—that the public mind would be influenced by sentiments of compassion for those who might be exposed to its operation. That was very just. All those who had witnessed the working of these systems of public punishment, would admit the truth of the remark. He did not believe that it would be possible fully to carry out the system among a free people. He did not think that a free people like the English would endure, for instance, such scenes as were witnessed at Marseilles, where the cannon were always planted so as to command the workmen—where the fusillade was always ready in case of a mutiny among them—and yet crimes of the blackest die were constantly committed by these wretched criminals. His objection was not confined to the more severe parts of the plan. It seemed a part of it that the convicts were to be secluded for eighteen months at home prior to their suffering the rest of their punishment, with every hope of procuring pardon through good behaviour and the favourable reports of officials. Experience showed that the worst criminals were the best behaved in prison. [The Duke of RICHMOND: For a short time.] Eighteen months were all that was required. That was no very formidable period in the life of a young man; and it was proposed that at the end of that time they should be able to earn wages and gain the right to become proprietors, perhaps in France, or in whatever other place they might choose. Under the old system the terror was extreme, because the suffering was very great to those who were subject to transportation, from the rupture of all natural ties and of all their former associations; while, at the time, there was always a chance of their final restoration to society through the demand for labour in those boundless regions which were still unexhausted by human enterprise. His noble Friend, in one of his despatches, gave a plan for an intended village, to be raised and peopled by convicts, and where certainly life might be enjoyed. But, on the other hand, there was the punishment of leaving home, and after the expiration of the term of punishment a man was to begin a new career of life, and perhaps, from the natural operation of circumstances, he might become a new man, and ultimately contribute to the happiness and prosperity of the community to which he belogned. That was the working of the system of transportation. To a great extent it had been carried out in New South Wales. What had occurred elsewhere seemed more to have resulted from the supineness of some of the officials, than from any other cause. Since he had been made acquainted with the actual effects of a sentence of transportation, he had not been able to bring himself to pass it; he had not availed himself of the power of sending criminals to a penal settlement. At the same time, he was quite of opinion that there might be a system under which convicts might be subjected to labour and discipline in such a manner that they might eventually be restored to a state of mind in which they would be a blessing to their families and to those connected with them. He wished before he sat down to point out one or two matters which appeared to him not unworthy of their Lordships' attention in considering the Bill then before them. In the present state of the law a man might be condemned to death for an offence under circumstances which made it doubtful whether such a sentence was perfectly legal or not; and when there was thus a doubt that death could be lawfully inflicted, the convict himself was made a party to a compromise. If he submitted to be transported, he escaped the infliction of death—if he returned from transportation, he forfeited his life. But if they made the change now proposed to be effected in the law, they set the escaped convict free from capital punishment; and, having done that, how did they propose to deal with masses of men leagued together for purposes of crime, and led by persons of perverted ingenuity and large pecuniary means? A petition had been intrusted to him, which, as it was respectfully worded, he was bound to present. The petitioners demanded a total abolition of capital punishment. The suspension, and, still more, the discontinuance of transportation, might lead to the increase of capital punishment. Now, he called upon their Lordships carefully to consider the resistance which they might have to encounter from the pressure of public opinion upon this subject. Any increase of capital punishment must be attended with very serious difficulties. Upon these grounds he confessed he did not think that their Lordships ought to pledge themselves to an important system, or an extensive change.

The DUKE of RICHMOND felt that he could not add anything to the able arguments which their Lordships had heard respecting the evil of abolishing transportation, and he should therefore confine himself to a very few observations; but he could not help saying that no punishment had proved more effective. It had been announced that as many as 4,000 additional convicts were to be kept in the gaols and prisons of this country. To that plan he saw several objections, founded on the fact that the gaols were not fit for the reception of these prisoners; and it would be inexpedient to try the experiment until prisons had been constructed expressly for the reception of this class of convicts. If they were at once sent to the gaols in tens or twenties, the consequence would be that they would be obliged for the eighteen months, the term of their confinement, to continue in cells, deprived of either air or exercise—deprived of every opportunity for self-improvement which would render them useful afterwards. That would be a punishment which would be altogether too severe, and which should not be inflicted on any human being. From his own personal knowledge, he could speak of the terrors the idea of transportation produced on the minds of the convicts. He had often heard them say, "If you keep me here, I care not—do all you can to prevent my being sent across the water. In England I may receive letters from my friends—I may have interviews with my father, with my mother, my wife or children; but if sent to Australia, to hear or to see them there is no hope." That was one reason why they so much disliked transportation, because they never hoped again to see those whom they loved and cherished. Any individual who visited the cells of prisoners must know that the most reckless villain had as deep and as sincere an affection for his wife and children as the most regular or moral member of society. He hoped the noble Earl (Earl Grey) would consider the advice that had been given by the noble and learned Lord, and, instead of carrying out the whole of the proposed experiment, that he would diminish to a certain and safe extent the number to be transported. He knew how difficult it was to define that amount of punishment which would act beneficially on the offender: much depended on his habits of life, much depended on his constitution; yet he was sure that to separate a man, even for a short time, from his associates, would be of use, as it gave him time to reflect—it gave him time to look back on his past life—so that he might be brought to admit, if not to others, yet to himself, that he felt the errors he committed; that he was sorry for his conduct; and that he would endeavour to avoid them in future. In his opinion, the prison at Pentonville had not yet been sufficiently tested. The period when the first ship went out was most unfavourable; there was no work to be had when the convicts landed, and, unfortunately, some of them got drunk, and some went astray; but many of them were most thankful for having been placed in the Pentonville prison. The hulk system, however, was by no means to be equally commended. Many convicts were made worse, rather than improved, by being placed in the hulks. He was most happy to find that the Government was about to remove the prison inspectors from having the immediate direction of the Millbank Penitentiary. He objected to that appointment when the Bill was brought before their Lordships. He thought the appointment would do mischief, as it would prevent the valuable services of those men from being extended to the prisons of the country, by which great good could be effected in introducing one uniform system of prison discipline. He hoped now they would diligently apply themselves to the duties of the new office to which they were appointed, and bring the whole of the prisoners under one uniform system.

EARL GREY said, that after the speeches which their Lordships had heard from his noble Friends behind him, and from the noble Lords opposite, it was necessary that he should occupy their attention for a short time by addressing to the House a few words of explanation; and in offering that explanation he should strictly confine himself to the points that had been touched on in the course of the present debate. His noble Friend opposite said that a change so important should not be carried into effect upon any less authority than that of an Act of Parliament. In that opinion he fully agreed with the noble Lord; and he never for a moment doubted that an Act of Parliament would ultimately be necessary. He had not perhaps on the first occasion when he addressed their Lordships, stated what he wished to say with the fulness and clearness that the occasion required; what he meant to say was, that under the existing powers which the Executive Government possessed, under Acts of Parliament already passed, the punishment of transportation might be commuted for imprisonment. It was well known that the late Government had adopted the resolution of suspending for two years the punishment of transportation. As the law gave that power, he saw no reason why advantage might not be taken of the existing law, for the purpose of trying a useful and promising experiment. As, after all, the proposed change must be considered experimental, there seemed to be much convenience in postponing the time of applying to Parliament till the period should have arrived, when, being enabled to judge by the practical working of the plan, how far it was likely to answer, and what modifications it might require, Parliament might proceed with much greater confidence than it now could, to determine upon the system of punishment which should be permanently adopted. For the present, it was intended that sentences of transportation should be recorded in conformity with the existing practice; and the House, he presumed, knew perfectly well that every year large numbers of convicts were sent to Gibraltar, to Bermuda, to the hulks, and to Pentonville; so that when he spoke of suspending transportation, he merely referred to a suspension of it so far as Australia was concerned. Large numbers were thus sent to those places, and for the present that practice would be continued; so that, in fact, the proposed change would be, for the present, more apparent than real. He need not remind his noble Friend opposite, but he might as well inform the House, that, until the year 1843, those who were sentenced to seven years' transportation were never, or very rarely, sent abroad. They were almost uniformly sent to the hulks, and thence discharged at the end of four years, if they obtained a certificate of good conduct. Since that time, however, the great majority had been sent abroad. In the present state of the law, there could be no doubt that the practice of punishing by transportation might be suspended. If, hereafter, it was thought expedient to abolish it altogether, of course that change ought to be effected by the express authority of Parliament; but he conceived that it would be disadvantageous to alter the nominal sentence until after the proposed experiment should have been tried. His noble Friend opposite had said that within five years there would be an accumulation of 20,000 convicts, who would produce an evil effect upon the free labour of this country; but if the plan now proposed were adopted, such a result could not possibly ensue, and he therefore did now call upon them to consider whether such a plan was expedient. They could not be blind to this, that convicts must be kept to penal labour somewhere; and he desired to know whether it was easier to keep them to penal labour in this country or in Van Diemen's Land? He believed no one would venture to say that the old system ought to be re-established; no one who looked at the enormous abuses of the ancient system could possibly wish to see it re-established; most especially, he might say, that no one would desire to see the system of assignment re-established; it was a system no less injurious to the masters than it was to the slaves. It was well known to have produced effects similar to those which slavery had produced in our slave colonies. There might be exceptions; but the general rule was, that slavery inflicted enormous evils upon any one who came within the sphere of its pernicious influence. But, after all, what did transportation mean? It meant nothing more than penal labour in a colony instead of penal labour in England. It had been said, that transportation was viewed by convicts with infinite terror; and it was further said, that if the punishment to be inflicted on convicts were to be changed in the manner which the Government proposed, there would be no safety for society in this country; and the case of a receiver of stolen goods was mentioned, as one in which the proposed punishment would be altogether inadequate. But did his noble Friend (Lord Denham), who made this objection, know what, under the old system of transportation, was the amount of punishment really inflicted on such an offender? He had heard it stated—and he believed the statement to be true—that it had actually happened that a man who was a great receiver of stolen goods, perhaps the greatest that ever existed in this country, had been some years ago convicted of this offence, and was transported. He had previously accumulated enormous wealth, and he found no great difficulty in evading the law, so as to protect his moveable property from being forfeited to the Crown. He contrived, by means of bribery, to get himself assigned; he bribed the party to whom he was assigned, and he lived as well and drove as large a trade in stolen goods in New South Wales, as he had ever carried on in this country.

Lord STANLEY: Such offences cannot now be repeated.

Earl GREY resumed: That remark of the noble Lord might be perfectly true; but its truth did not invalidate the force of the argument which he had just used in favour of suspending, for a short time, the practice of transportation. It had been said, that transportation had far more terrors for the criminal than the plan now proposed was likely to have. To enable their Lordships to judge of this, he would briefly compare the two systems. Under the existing system, a man was sentenced to transportation for fourteen years; he was sent to Van Diemen's Land—he was put to a penal gang to labour on the roads. At the end of eight years, if well behaved, he obtained, perhaps, a conditional pardon, under which he might go to America, or India, or China, or anywhere he pleased, provided he did not return to England. Under the system now proposed, the criminal, instead of going straight to Van Diemen's Land, was to be sent to Pentonville. Instead of being put to a penal gang, with no real system of discipline in force, he would be placed in the cell of a prison, where there was the strictest and severest system of discipline possible—so severe, that the noble Duke opposite (the Duke of Richmond) thought that eighteen months of it was more than human nature could generally bear. He (Earl Grey) believed the noble Duke was right, and he certainly thought it ought never to be prolonged beyond that time. After that severe punishment, the criminal would be placed on public works in this country, where he would be subjected to precisely the same regulations as he would be in Van Diemen's Land, with this difference, that the system of penal labour to which he would be subjected, would be under the immediate cognizance of Government. So that if anything went wrong, they could instantly check it; and thus all the abuses of the system in Van Diemen's Land would be effectually avoided. If, for instance, they had an inefficient Governor in Van Diemen's Land—a circumstance which no Government could always guard against—it would be two or three years before they could know it; and then, when they did know it, it would be nearly another year before they could make a change. In both cases, then—in the present as well as the proposed system—there was penal labour, and for the same period; but the Government proposed to follow it out. At the end of eight years, the criminal would receive a conditional pardon; and the condition would be, that he should go to Van Diemen's Land. The Government would keep its eye upon him until he was placed on board a ship for Australia, where he would be placed in the same situation as the criminal who at present got a conditional pardon in Australia. When his noble Friend, then, said that the system would be an inefficient one, he surely did not consider that the only practical difference between it and the present system was, that it inflicted penal labour at home instead of in the colonies; being the same sort of labour, and under the same sort of regulation, with the advantage that we had infinitely greater facilities for inflicting it here than we had in the colonies; and that at the end of his punishment he was discharged, a free man in Van Diemen's Land. He reminded the House that he had always admitted to the fullest extent that transportation, so far as it provided a refuge for the convict at the end of his punishment, was of great use; and no man denied that it was so. He could not help thinking that his noble Friend had taken an unfair advantage of his (Earl Grey's) saying that he did not consider this a part of their punishment. What he meant was, that he did not consider it a deterring part of the punishment. His noble Friend had said, that the evils of the system in Van Diemen's Land were owing to the fact, that the most common precautions had been neglected. How long had they been so neglected? Certain it was, that a state of things had existed in Van Diemen's Land for six or seven years which could not have existed in this country without public opinion being loudly declared against it, and a reform inevitably enforced. And that was the great advantage of the proposed change. From the distance at which our colonies were placed, we had no means of information respecting it, except from the reports of our own officers; so that it was impossible to have such a security for a due examination of the system as we could have in this country. He begged to remind their Lordships that it was not the rules on paper, but the rules that were enforced, that were of importance. His noble Friend opposite (Lord Stanley) sent out to Van Diemen's Land some admirable rules; but the misfortune was, that there were no proper means of ascertaining whether the rules were enforced or not, or of applying so prompt a remedy if they were not enforced as they would do were the parties within six hours' journey by railway of London. He (Earl Grey) held it to be an inestimable advantage of the system, that it inflicted punishment at home instead of abroad. But his noble and learned Friend had said that a free people could not bear to see penal labour inflicted. Was this the language to be held when they talked of continuing transportation? If we, in this country, where the crimes were committed, could not bear to see the punishment inflicted, were the people of Van Diemen's Land to be compelled to witness the spectacle? He was persuaded that the period had arrived when they must extend the institutions of England to those who lived in the Australian colonies; and he hoped, in the course of the Session, to be able to introduce a Bill for that purpose; and when once the colonists had the advantage of a representative government, did their Lordships think that any Government in this country would dare to say that the people here could not bear to see penal labour inflicted on their convicts, and that they must be inflicted in Australia? It would be impossible. To attempt to do so, would be to strive after two contradictory things. They wanted, in the first place, a certain number of men of wealth, intelligence, and capital to employ the convicts when they were sent out there; and at the same time they wanted these men to submit to what they would not submit to themselves. This was impracticable. If they insisted upon continuing the present system of transportation, the effect would be that the free colonists would leave the colony in a body: that was stated in the petition from which he had read an extract to their Lordships; they, at whatever pecuniary sacrifice would abandon the colony; they would take refuge in South Australia, in New South Wales, or some of the neighbouring colonies, and Van Diemen's Land would be left like another Norfolk Island—with no inhabitants but a vast herd of criminals and their keepers. There would be no society of freemen to watch over the conduct of the officers; and the consequence would be that every abuse that was seen in Norfolk Island would be wrought in that colony. But the noble Duke had said the punishment of transportation was infinitely effective, because he had heard men in Pentonville Prison say that they did not care for imprisonment, but that they could not bear the idea of being removed across the seas away from their parents, their wives, and their children. He (Earl Grey) suspected that the habitual and hardened felon had very little feeling of that kind. The professional criminal had few family ties, and was very callous to those which he had formed. It was the person who was accidentally betrayed into crime. who was tortured by such feelings as the noble Duke had referred to. But, if it were thought advisable to enforce a separation between criminals and their friends—if it were deemed of importance that criminals should be deprived of the advantages in this respect which men not guilty of crime enjoyed—this could be done as completely at Pentonville or Portland Isle as at Van Diemen's Land. His own opinion was, however, that to allow that intercourse to take place within certain bounds, was a better system. In the old days of transportation, it was the invariable practice, in the case of men who obtained a conditional pardon in our penal colonies, to send out their wives and families to them. This system had, in his opinion, been injudiciously discontinued. The Government proposed to resume that system. The idea of rendering these ties—of separating a man for ever from his wife and family, was too horrible to contemplate. He (Earl Grey), for one, would be no party to such a system. When the criminal's punishment had been to a certain extent gone through, it was proposed that his wife and family should be sent out with him to Australia. But, his noble Friend asked, what means had the Government of diffusing these convicts over Australia? What means had his noble Friend of doing this under the old system? Things would proceed in this respect very much the same as before. In the former case, when a man got a conditional pardon, facilities were given to him to proceed to any part of Australia he chose; and the same course would be adopted under the new system. His noble Friend had also said that there would be great objections on the part of the colonists to employ the convicts; and he had referred to what had taken place at Port Philip as a proof of this feeling, He (Earl Grey) was happy to say, however, that in consequence of the success of the first experiment, that feeling had undergone considerable change; and there was now so great a demand for their labour, that, provided care was taken to prepare the convicts by a proper system of discipline, the colonists would not object to receive them. On the contrary, he (Earl Grey) was persuaded that when the new system came into operation, there would in many colonies be a great desire to obtain the supply of labourers which it would provide. At the Cape of Good Hope, great anxiety had been expressed to have convicts employed in making a breakwater in that colony. These were the grounds upon which he deemed the system he proposed to be an advisable one. His noble Friend had said that they ought to postpone the operation of the new system till the prisons were ready to receive the convicts; but it was quite clear that we equally wanted the means of receiving them at Van Diemen's Land as we did here; and, as we must put them somewhere, we could provide for them at less expense here than in Van Diemen's Land. Even if we should return to the system of transportation, it would still be necessary to retain a large number of convicts at home. He was happy to say, that in the course of a few months, arrangements would be completed for receiving a considerable number at Portland Isle. In conclusion, he trusted that their Lordships would remember that he entirely concurred with his noble Friend opposite, that if the system was to be established permanently, it would require to be done by the authority of Parliament.

After a few words of explanation from Lord Denman, Earl Grey, and the Marquess of Salisbury,

Bill read 2ª.

House adjourned.

HOUSE OF COMMONS,

Friday, March 5, 1847.

Minutes.] Public Bills.—1° Army Service; Life Insurances.

2° Drainage of Land; Loan.

Reported.—3° Consolidated Fund (8,000,000*l.*)

Petitions Presented. By Sir R. H. Inglis, from Grately (Hants) and Quarley (Southampton), against the Roman Catholic Relief Bill.—By the Earl of Arundel and Surrey, from Chilvers Coton and Nuneaton (Warwick), in Favour of the Roman Catholic Relief Bill.—By Mr. Escott and Sir De L. Evans, from Westminster, and Sir B. Hall, from Marylebone, for Inquiry respecting the Rajah of Sattara.—By Mr. Sotheron, from Bradford, for Repeal of the Stamp Duty on Attorneys' Certificates.—By Mr. Brotherton, from Oxford and Okehampton, against the Use of Grain in Breweries and Distilleries.—By Mr. Forster, from Garliestown and Great Grimsby, and Mr. Hume, from Arbroath, for the Reduction of Lighthouse Dues.—By Mr. Godson, from Kidderminster, respecting Remuneration to Tax Assessors and Collectors.—By Mr. Labouchere, from Members of the Athy Relief Committee, respecting Ventilation of Cottages (Ireland).—By Mr. Walker, from Bury, in Favour of the Ten Hours Factories Bill.—By Mr. J. Tollemache, from Middlewich, for a Day of Humiliation on account of the Famine in Ireland.—By Mr. T. Duncombe, from the Isle of Wight, for Inquiry into the Management of the Roads in that Island.—By Mr. Mitcalfe, from North Shields, against the Repeal of the Navigation Laws.—By Mr. P. Scrope, from several places in Ireland, for Alteration in the Poor Law (Ireland).—By Mr. Walker, from Chorley, for an Efficient Poor Law (Ireland).—By Mr. Bowles, from the Inhabitants of the Hamlet of St. Thomas the Apostle (Cornwall), and Lord Rendlesham, from Cratfield, for Repeal or Alteration in the Poor Removal Act.—By Mr. Mangles, from Guildford, for the Suppression of Promiscuous Intercourse.—By Mr. Hume, from the Society of Freethinking Christians (London), for the Abolition of Punishment of Death.—By Mr. Aldam and other Hon. Members, from several Railway Companies, against the Railways Bill.—By Colonel Mure, from the Trustees of the Renfrewshire Turnpike Road, for Alteration of the Railways Bill. —By Mr. P. Carew and other Hon. Members, from several places, for Alteration of the Law Settlement.—By Mr. Hindley, from the Peace Society, for referring National Disputes to Arbitration.

QUARANTINE.

Dr. BOWRING asked the hon. Vice-President of the Board of Trade, if any important change or modification had lately taken place in the quarantine regulations, or whether there was a probability of any changes being made; and, also, whether the Government was willing to lay before the House in an official shape any documents upon the subject.

Mr. M. GIBSON said, the only new regulations he was aware of had been made during the past month, by which ships from Turkey, loaded with unenumerated articles only, having clean bills of health, and with every person on board free from the suspicion of infection, were in future to be released from all quarantine; the regulations would be laid on the Table of the House.

PUBLIC WORKS (IRELAND).

Mr. BOUVERIE drew the attention of the right hon. Secretary of Ireland to sixteen proclamations of presentments for public works in Ireland in a recent number of the *Dublin Gazette;* these presentments, he apprehended, were made under the Act of last Session. He wished to ask, whether it was intended by the Government to sanction further employment of the people under these presentments, after the measures just introduced?

Mr. LABOUCHERE said, the measures which were intended as substitutes for the Act of last Session, had only just passed the Legislature, and had not yet come into operation. He could assure the hon. Gentleman there was every anxiety on the part of the Government to reduce and extinguish the system of public works as speedily as might be consistent with the peace and safety of the country.

Mr. HUME asked, whether any express orders had yet been issued on the subject?

Mr. LABOUCHERE said, most precise and positive directions had been given to the Irish Government to carry this intention into effect.

THE CASTLEBAR UNION.

Viscount DUNCAN begged to call the attention of the right hon. Gentleman the Secretary of State for the Home Department to the letter circulated that morning from Mr. Otway to the Poor Law Commissioners, in reference to the Castlebar union. Mr. Otway stated that, on an examination of the rate-books of that union, he had found that rates were now due from solvent parties, and that they were recoverable. The letter further alluded to a belief which generally prevailed, that the Government would see the expediency of making advances on the security of the several unions; and what he (Viscount Duncan) now wished to ask was, was it the intention of the Government to make any such advances of public money, and also what steps had been taken to enforce the collection of rates due by solvent parties in the Castlebar union?

Sir G. GREY: Since the instructions, an explanation of which had already been given, had been addressed to the Lord Lieutenant, no additional instructions had been issued on this subject. With regard to the latter question put by the noble Lord, he would find, on referring to page 20 of the correspondence relating to the union workhouses in Ireland, that on the 29th of January the Poor Law Commissioners wrote to the board of guardians of the Castlebar union directing that there should be transmitted to them as soon as possible a list of all defaulters in the payment of poor-rates in the union; and that, on the same day, in another communication, they desired the board to collect rates as usual, and to make every exertion to enforce the payment of the rates on all parties in arrear.

Mr. B. ESCOTT desired to know if the right hon. Gentleman could state whether or not Lord Lucan had paid his share of the rates of that union; and if he had not, had he refused on the ground of poverty?

Sir G. GREY: It had been stated in very strong terms in that House, and repeated elsewhere, that Lord Lucan was not the person from whom the rates, for which he was assessed and which he had refused to pay, were due, and he had no further information to give on that subject. Lord Lucan was now in Ireland; and if, on more minute inquiry, he should find that he was liable, it was to be hoped he would no longer refuse to pay the rates.

Mr. P. SCROPE asked if the right hon. Gentleman was aware that the Government had advanced large sums, the rates not having been paid up regularly, in the Cavan union?

Sir G. GREY: If the hon. Gentleman had read more carefully the correspondence which had been laid on the Table, he would have seen that there was no intention of relieving the ratepayers further in any union at the expense of the Treasury. Directions had been addressed to the Poor Law Commissioners, and also he might say to the Lord Lieutenant of Ireland, that no means should be left untried by which the collection of rates from solvent parties should be enforced. At the same time it was suggested that, in urgent cases, and to prevent that additional suffering and distress which would result from the closing of a workhouse, the Lord Lieutenant should advance relief, at certain times, and as his discretion might dictate. The Cavan union was not the only union entitled by an order from the Treasury to such indulgence; and the same discretion had been exercised towards that union which would be evinced elsewhere.

Mr. HUME would recommend that a resolution be adopted that relief should be forwarded to the different unions only in proportion to the amount of rates which had been paid.

Sir G. GREY apprehended that the hon. Gentleman, to effect that object, would have to submit a Motion to, and obtain the sanction of, the House.

THE RUSSIAN-DUTCH LOAN.

Mr. STUART WORTLEY wished to put a question to the noble Lord the Secretary of State for the Foreign Department, which had arisen out of the discussion of the previous evening; but the noble Lord, he perceived, was not now in his place, and perhaps therefore the noble Lord the First Lord of the Treasury would have no objection, in his absence, to give the answer. In the record of the Convention of 1831 it was stated that the contracting parties had to refer to the Convention of 1815; and the noble Lord was understood in the course of last night to say that those words in the Convention of 1831 referring to the adhesion of Russia to the general arrangements of the Treaty of Vienna, as one of the considerations of the renewed convention, were introduced at the request of the representative of Russia in this country. The question he desired to ask the noble Lord opposite was, whether there would be any objection to lay before the House such portions of the engagements and documents respecting this Convention of 1831 as would be demonstrative of that fact? He would have postponed making the inquiry, had it not been that the debate would be resumed on Thursday, and that it was of importance to have every information on the subject before the House as early as possible.

Lord J. RUSSELL: The discussion will be renewed on Thursday. With regard to the question which is asked, I am not sure if that to which I alluded is stated in any protocol; but I shall be prepared to speak more positively on Monday. If any such document is in existence, I will lay it before the House.

CANTEENS IN BARRACKS.

On the Question that the House do resolve itself into a Committee of Supply,

Colonel LINDSAY rose to submit the Motion of which he had given notice—

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct inquiry to be made into the effect that the present Canteen system has upon the Army; and whether it should not be advantageous to discipline and to the moral improvement of Her Majesty's troops, to prevent the sale of spirituous liquors in Canteens within the precincts or proximity of barracks."

Upon the manner in which the House would deal with his proposition, depended, he was convinced, much of the comfort of the great body of the members of that profession to which he belonged. The House would find, on looking to page 46 of the Ordnance Estimates, that the sum of 65,739*l.* was derived by Government from canteens and sheet washing; and that, after deducting about 11,986*l.* for washing, there remained, as the annual profit on canteens, 53,752*l.* He would explain to the House the manner in which the system worked. A canteen was rented for three years; at the expiration of that time a new tenant was obtained by calling for tenders. The highest tender was invariably accepted, if after a rigid inquiry into the person's character and condition, they were found satisfactory. The tenant was obliged to find sureties to a large amount for the payment of the yearly and fixed rent; and this rent was a specified sum for the buildings and appurtenances; and, in addition, a further sum, fixed by tender, for every ten men (exclusive of sergeants) who occupied the barracks; and besides this, if the barrack was not occupied to the full extent, in consequence of married soldiers living out of barracks, or men being in hospital, the tenant was also obliged to pay for them at the same rate, so long as the numbers did not exceed what the barrack was calculated to hold. The tenant paid all the taxes, assessments, &c. Therefore the greater number of men in barracks, the greater the profit to the tenant. The rent was always strictly exacted, and as it was also high, and the profit dependent upon the numbers who frequented the canteen, and upon the amount consumed, the effect was, that the tenant was obliged to make exorbitant charges to procure him a profit, and to resort to adulteration of the articles, and to gross extortion. The duty of regulation lay with the Ordnance; but it was impossible to prevent this frequent and gross extortion from the mode in which the canteens were let. The subject which he particularly wished to bring under the notice of Government was, that in these canteens spirits were permitted to be sold, as well as other articles; and that, consequently, they very greatly tended, if unregulated, to produce a general demoralisation of the men. Such a demoralisation did not result from long service. Young recruits, with money in their pockets, were early seduced by the older soldiers, whose funds were long ago exhausted, into the canteen, and that which at first was but a chance visit became a habit. It was his object to forbid the sale of spirits in these places, and thus to remove the temptation. He did not suppose that the evil to which he called attention, had been foreseen. Regiments could not do without suttlers; and the authorities had thought they therefore might as well establish the canteen; and, as some one would profit by the rule, of course it was as acceptable to the Government as to anybody else. He did not deny the use of a canteen; all he asked was, that they should forbid the consumption of spirits. If they did not do so, they would find all their attempted reforms ineffectual. The Secretary at War had issued different warrants for the establishment of normal schools and of savings banks, and for accomplishing other most desirable improvements in the social state of the Army; but if they still granted to the soldier the facilities which now existed for obtaining ardent spirits, they would in vain endeavour to detach him from the canteen and its temptations. With the discontinuance of the sale of spirits, would cease that attraction which was now found in idleness. He could point to instances in which men under the influence of spirits had knocked down their superiors, and that in circumstances which could not have occurred had beer only been sold in the canteens, and had it been necessary to go out of the barracks to procure spirits. He had known the case of a man who, disgusted with the discipline to which he was subjected, went to the canteen, got drunk, and afterwards struck the non-commissioned officer by whom he was drilled, for which, of course, he was sent to prison: this occurred in Canada, not in England. It might be said that the same things occurred among the operatives of this country; but it should be recollected that if a civilian did knock down a policeman when drunk, it involved no more than punishment by fine; but it was different in the Army, and the House ought to recollect the frightful consequences that were entailed on the soldier when he was guilty of drunkenness and insubordination. It appeared from a return which he had in his hand, that the principal crimes committed in the Army were drunkenness and insubordination, and that the latter seldom happened without being caused by the former. It appeared also that the greatest number of men guilty of insubordination committed the crime in barracks; and that the acts of insubordination chiefly took place on parade, or at the evening roll-call; and, what was a very extraordinary thing was, that the regiments which came from the East or West Indies, or from the Cape of Good Hope and other places, were more notorious for drunkenness and more violent than those at home, and that among them the number of capital punishments was greater than in other regiments. It was notorious that in the West Indies the soldiers had been known to add Cayenne pepper to the spirits which they drank, because they were not strong enough. It had come under his notice that the spirits sold in canteens had a more violent effect on the men who drank them than the spirits sold out of the barracks. He believed that the keepers of canteens often mixed their spirits with vitriol and other injurious ingredients, and the consequence was that they produced a greater amount of frenzy when drunk than did those taken out of the canteen. Such statements as these, he thought it was the duty of the Government seriously to consider, and, even at the loss of some slight income, to alter a system which was productive of so much injury. Supposing his Motion were to be carried out, he did not by any means expect that much immediate good would result from it; but he thought they might confidently look forward to a general improvement in progress of time. They would to a great extent protect the young soldier, and render it more difficult for the confirmed drunkard to get opportunities of seducing him into habits of intoxication. He believed it would be found that the present system of canteens was the cause of some expense to the country; for the habitual drunkard before he had served twenty-one years, generally became inefficient; and, according to the system still in practice—for the new regulations had not yet come into operation—the invalided man, whether he was a good or bad character, got more than the man who was discharged at his own request on a pension of 10*d.* a day. The constitutions of drunkards were undermined; they became a burden to the country, and many a good man was unable to get his discharge in consequence, though he might have well deserved it. He believed it would not be difficult to show, that though an habitual drunkard and an habitual drinker were two different things, the one was as great an expense to the country as the other. There were men who never got drunk, yet who were always taking their glass; and he believed the constitutions of these men failed sooner than those of habitual drunkards. Many of these men were discharged on pensions, and in this way cost money to the country. It might be urged that the canteen system had the effect of keeping men in barracks; but he thought, if they were to look to the moral character of the soldiery as the point to be attained, the evils produced would greatly counterbalance any good that was derived from such a system. In 1836 a military commission was appointed, and they heard a good deal of evidence with regard to the system of punishments. The witnesses examined before that commission, were generally asked whether they were able

> —"to suggest any means of reclaiming or eradicating the propensity of drunkenness so prevalent among the soldiery, and confessedly the parent of the majority of military crimes?"

The majority of the answers to this question entered into the first part of it; and a variety of proposals were made, such as a reduction of pay, confinement, &c.; but very few entered on the subject of canteens, though one or two certainly did. Among these was the present Governor General of India, who said, that before he left the Board of Ordnance

> —"he had in contemplation a minute recommending that a portion of the canteen rent, which is a species of tax levied upon the soldier, should be applied to his recreation in the barrack-yard."

Now, if, as Lord Hardinge remarked, the canteen rents were a species of tax upon the soldier, he thought that the tax should be used for his improvement, not for his demoralisation. The present Adjutant General (Sir J. Macdonald) certainly took another view of the case. He thought that the soldier, by having the canteen at hand to resort to, even when he was in the very act of drinking, was in some measure in the trammels of military discipline. Sir E. Blakeney thought canteens should be let upon lower terms, and better regulated. Sir C. Smyth considered that canteens should sell malt liquors only, not spirits, and stated, that "if he had authority, not a single glass of rum should enter the barrack-yard." Sir Colin Campbell thought the sale of spirits should be prohibited in canteens. Another officer strongly urged the prohibition of the sale of spirits in canteens; and stated his belief that in nine cases out of ten, men would not take the trouble to dress themselves to seek it out of barracks. Another witness whose evidence he would refer to, was one whose authority the House would respect. He had served in every quarter of the globe—in one or two of them in a military capacity, but in all of them in a civil capacity; and he had served both under the last and the present Government—he meant Sir George Arthur. That officer said—

> "We encourage a soldier to drink a small quantity of spirits, and we punish him for drinking a large quantity, though we know that a small quantity disarms him of caution as to the danger, and that the daily habit creates a physical necessity, which the utmost fortitude cannot successfully struggle against."

A medical officer of great experience and authority, Dr. Ferguson, late Inspector General of Military Hospitals, who had served both at home and abroad, in a work published by him some years ago, said—

> "A ration of spirits, as an article of daily diet, ever engenders a craving for more, so imperious and irresistible, there is no crime the soldier would not commit, no abomination he would not practise, for its gratification. Punishment, when put in competition, has then no terrors, and the fear of death is set at nought. He would drink, though the king of terrors stared him in the face, and rather than go without it, he would take that drink out of a jakes, or from the most disgusting vehicles human imagination can conceive."

If the system of canteens excited this propensity in the soldier, and if spirits tended thus to injure his constitution, and to disqualify him for the service upon which he had entered, it ought to be put out of his power to indulge in this propensity, instead of his being tempted to give way to it. Dr. Ferguson went on:—

> "The army canteens have ever been institutions of drunkenness; and it is difficult to believe how an abuse so monstrous, and a nuisance so palpable, could have been tolerated so long and to such an extent. It shows the difficulty, in our service, of carrying even the most obvious reforms into effect, when anything in the shape of improvement comes to be proposed to the disturbance of existing interests, or even bad habits of any kind. If kept up at all, it must have been from the high rent that was paid to the barrack department. But how these authorities could reconcile the

gains thus obtained at so much deadly cost to their consciences, must remain a problem."

Supported by these great authorities, he was justified in saying that the use of spirits in canteens was not only a nuisance and injurious to discipline, as well as prejudicial to the health of the soldier, but that it was also expensive to the country by causing the early annihilation of his constitution; and therefore he thought he did right in bringing the matter before the House. And when it was known that much power had been taken away from commanding officers, and that corporal punishment had been reduced, and when all sorts of improvements were being introduced into the Army, he thought he was justified in calling upon the Board of Ordnance and the Government even to yield up some of the income of the State which was derived from this source, in order to get rid of this evil, whereby they would raise the character of the service, improve the moral condition of the soldier, and conduce to the efficiency of the Army.

MR. F. MAULE was not going to defend the system which had been pursued in canteens to a great extent, or to enter into the details which had been referred to at so much length by the hon. and gallant Officer who had just sat down; but he must say that the remedy he proposed by his resolution, although founded on the best of principles, might not be very easily carried out by a distinct vote of the House. But it would not be perhaps disagreeable to the hon. and gallant Officer to learn that the minds of the authorities had been already turned to this question—and that they were considering at this moment how the canteens could be put on a better footing, so as to form part of that general amelioration of the whole state of the soldier, which both the authorities at the Horse Guards and Her Majesty's Government had sincerely at heart. The hon. and gallant Officer would remember that the canteens, though attended with considerable inconvenience when they were allowed to be put to improper uses, were of great advantage to the soldiers in barracks. There were many articles to be obtained in those canteens, which it would be inconvenient on many occasions for the soldier to have to seek without the walls or without the precincts of the barracks. And even with reference to the sale of spirits itself, the canteen was so immediately under the control of the commanding officer, that if he were to exercise his proper authority, there could be no doubt that with vigilance—common vigilance—many of those evils which the hon. and gallant Officer alluded to, would, in ordinary cases, be prevented. But he was free to confess that it was not easy for a commanding officer to exert all the authority he possessed; there were difficulties in his way; and he was ready to admit, that a commanding officer should not be put in the responsible situation of either ordering the canteens to be closed altogether, or else to submit to evils, which, under the circumstances, were beyond his control. He would not detain the House by going into any of the cases which the hon. and gallant Officer had referred to. He admitted at once, that under many circumstances the sale of spirits in canteens led to evil; but in answer to that, he begged also to state that the total absence of the sale of spirits in canteens might likewise lead to evils in another direction. The hon. and gallant Officer did not trace the original establishment of canteens. He believed they were originally established for the sale of spirits exclusively in barracks, and were afterwards extended to other articles; but they were originally established for the sale of spirits exclusively, for this reason, that an order in that day existed that no spirits should be introduced into barracks, and the spirits introduced there were all smuggled in, and in such a way that it was impossible for the utmost vigilance to prevent it; and it was thought better to establish the sale of spirits by a recognised authority in a place within the barracks, over which the commanding officer would have entire control, and to do away with that practice which formed a serious military crime, namely, connivance in smuggling spirits for the use of the soldiers in the barracks. He had no doubt it might be possible, by a strict regulation, so to restrain the sale of spirits in canteens, without the necessity of banishing it altogether, that it should not lead to evils such as the hon. and gallant Officer had described as applicable to it. He perfectly agreed with the hon. and gallant Officer, there was nothing from which they ought to protect the soldier so much as the seduction of the confirmed—he would not say drunkard, but—hard-drinking man; a man so accustomed to spirits as to carry off, without effect on him, that which would make ten recruits utterly unfit to appear on duty. Those were the sort of men who led away the younger troops of the

Army; and by placing the canteens under proper regulations, so that those men should not have the means of seducing the young recruits into them, they would do a great deal to put an end to the evil. He could inform the hon. and gallant Officer, that the whole system of canteens was about to undergo careful consideration, and would be put on that footing that, while the canteens afforded the soldier in barracks all the convenience they were intended to give, it would be next to impossible they should in any way whatever conduce to the deterioration of the soldier's morals, or in any way render him unfit to perform the duties which he engaged to do when he enlisted in the service. With these observations he should conclude, and he trusted the hon. and gallant Officer would not press his Motion to a division.

Sir HOWARD DOUGLAS was rejoiced to learn from the right hon. Gentleman that the Government were disposed to take up this question, and to inquire into the whole of the canteen system with a view to put it on a better footing. Much of the canteen system of the present day was the remains of ancient abuses. There was a time when the great profits accruing from the consumption of liquor by soldiers in canteens, were applied to make messes cheaper to the officer. In a command held by himself not a long time ago, he found that the mess allowance of wine allowed to the officers, was paid out of a fund which was created by advancing the price of liquor on the subalterns. He immediately put an end to it. That fund was now appropriated less objectionably; but he would tell the right hon. Gentleman that the canteen system could never be put on a wholesome or on a moral footing adapted to the improvement of the soldier, until the Government and the canteener ceased to receive a profit from the tax payable on what the soldiers consumed. He trusted the right hon. Gentleman would take into his consideration whether the canteen might not be made a most convenient and desirable and moral adjunct to the barracks, to be resorted to by the soldier for other purposes than those of intemperance; and if any profit should be allowed to accrue from the sale of beer—for certainly he would exclude spirits altogether—he should propose that that profit, instead of going to the credit of the Government, or into the pocket of the canteener, should be applied to the benefit of the soldier; and if to the canteen, to induce the soldier to resort to those establishments for moral and intellectual purposes, as well as for refreshment. He would propose that there should be attached to every regiment a canteener, on the terms that he should derive no profit from the consumption of liquor; that a sufficient salary should be given to him; that he be induced to take an interest in the moral advancement of the soldier, and endeavour to put an end to those pernicious influences which, to his (Sir H. Douglas's) own knowledge, and to his regret, he had long seen and deeply lamented.

Mr. GOULBURN congratulated his hon. and gallant Friend who had brought forward the Motion, on the statement which had been made by the right hon. Gentleman the Secretary at War. His hon. and gallant Friend had only in view that the subject should be thoroughly inquired into, and had afforded to the House the benefit of his long experience in the discipline of regiments; and as the Secretary at War had distinctly stated that the whole subject of canteens was at present under the consideration of Government, and that they were prepared to make such arrangements with respect to them as would not impede, but rather assist to promote, the discipline of the Army, and tend to improve the morals and comforts of the men, he thought his hon. and gallant Friend would cordially acquiesce in the withdrawal of the Motion that had been recommended by the right hon. Gentleman. With regard to the lax system that prevailed in some of those canteens, he thought, however difficult it would be to impose restraints on the sale of spirituous liquors, the question whether the Government should make a profit on this liquor, was one of a different character. He was of opinion that canteens might be converted into places where the soldier could enjoy himself by the fireside, without indulging to the extent that would cause intoxication.

Colonel ANSON did not think the subject was properly understood, and wished to say a few words with respect to the manner in which these canteens were generally supposed to be managed. He begged to call the attention of the hon. and gallant Officer who brought forward the Motion, to the regulations of the warrant of 1838; and when they recollected that the regulations at the present moment were so extremely stringent, that it entirely rested with the commanding officer himself whether those canteens were well conducted or not, he thought the hon. and gallant Officer had extended his observations further than was necessary. He (Colonel Anson) would, with the permission of the House, read the regulation with respect to canteens: and he thought every hon. Member would agree with him that sufficient powers were vested by it in the commanding officer to see that the very strictest regularity was observed in these places. By that order the canteen keeper was bound to keep regular hours; not to allow persons to become intoxicated; to obey all orders of the Board of Ordnance and commanding officer; and he must obey the instructions given to him on pain of ejection from the canteen. He believed the hon. and gallant Colonel was in the full pay of the service, and where he was in command he had control over the canteens; and he must also add, that if there were any irregularities reported to the Board of Ordnance, they had the power of ejecting the tenant on a week's notice. He would say one word with respect to the way in which canteens were let: they were let by tender, and no person was accepted as tenant unless he could produce sufficient sureties for the amount of rent he had undertaken to pay, and also for his character. He thought it necessary to say thus much upon this subject, as he was afraid it might go forth to the country that there was no regulation with respect to these canteens, and that it was in the power of the canteener to do what he pleased.

SIR DE LACY EVANS said, it appeared that a great number of commanding officers felt a deep objection to the present system; and if they felt they had such unlimited powers as it would seem they had by this regulation, which had been quoted by the hon. and gallant Colonel, why did they come forward and give this evidence in the face of the military authorities, unless they felt there were difficulties in the case? It was quite certain that if the commanding officers conceived they had the power given by that regulation, they need not look to any higher authority; but it seemed that some regulation was necessary on the part of the Government. He was glad to hear from the right hon. Gentleman the Secretary at War, that the Government had directed their attention to the subject, in connexion with other arrangements that were now carrying on for the improvement of the condition of the soldier. He regretted to see there was some little bias on the part of the right hon. Gentleman as to the inexpediency of prohibiting spirituous liquors in these canteens. He (Sir de Lacy Evans) would not venture to offer any positive opinion upon the subject; but he should wish the Government to try the experiment, for some time, of prohibiting spirituous liquors altogether. He entirely concurred in the proposition of his hon. and gallant Friend opposite, as to the necessity of appointing a canteener; he thought it would tend both to the good of the Army, and the profit of the Excise, if a suitable salary was given to an officer of trust to conduct those establishments, and that no profit whatever should be derived from them.

MR. STUART WORTLEY said, it appeared to him, from the official experience he had, short as it was, that nine-tenths at least of military offences had their source in intoxication, and that a large portion of those nine-tenths arose from offences springing from the abuse of canteens.

COLONEL LINDSAY expressed his satisfaction at the announcement made by the right hon. the Secretary at War, and begged to withdraw his Motion.

Motion withdrawn.

Question again put.

CULTIVATION OF THE LAND (IRELAND).

MR. JOHN O'CONNELL, pursuant to notice, begged to draw the attention of the House to the advisability of employing the labouring population, now engaged on public works in Ireland, in the tillage of the land. He was very desirous to call the attention of hon. Gentlemen to this subject; but, at the same time, he was anxious to bring it forward with as little inconvenience to the progress of public business as possible. He was well aware the present was not the best opportunity to select for the purpose; but he was induced to bring the subject forward by a circumstance which had occurred on the preceding evening. He alluded to the announcement then made by the right hon. Gentleman the Secretary for Ireland, with respect to the number of persons employed on public works in Ireland, and which induced him to intrude upon the House for a very short period. The announcement of the right hon. Gentleman seemed to have struck the House very much, and to have produced a considerable effect. It appeared from it, that a number of persons, so large as 668,000—[An Hon. MEMBER: 700,000]—or as 700,000, for that was the number of persons, which appeared by the last weekly return, was employed on public works in Ireland. Hitherto, he believed, instead of any blame being attached to the Government, they were entitled to the thanks of every humane person, for endeavouring to provide employment for the people. But the question now was, while this system was to be carried on, whether it would not be better to employ the people in the cultivation of the land, which was neglected to a serious extent in many parts of Ireland. It was not necessary, he conceived, to impress upon the House the importance of this subject. Every hon. Member had seen in the public accounts that anticipations of scarcity were rife in every country in Europe. They were told by the public press that in France the amount of food required was far beyond what was anticipated; and that not only in that country, but in the other countries on the Continent, the scarcity of next autumn was likely to be beyond anything yet conceived by those who considered the subject. At home, they had in the *Agricultural Gazette* a warning held out to them that wrong and mistaken opinions were entertained as to the amount of corn in the hands of farmers and food merchants; and dependence upon a great quantity in their hands, would prove to be fallacious, and a fatal mistake. Under these circumstances, and considering the slowness of cultivation in Ireland, he thought it imperative that the attention of the House should be called to the matter. He thought it well, however, that the subject should not be broached sooner than at the present moment; for if there was any public notice that a suggestion had been made that the Government should undertake in any way, however indirectly, the business of cultivating the land, it might be expected that private exertions for that purpose would be paralysed where private exertion would otherwise be used. But at the present moment, he thought there was no time to lose in having the subject thoroughly considered. He believed that private exertion was now made to the fullest extent; they had every reasonable hope of seeing it made for the proper cultivation of the land for the next crop. In the *Gardener's Chronicle*, there appeared an article from the pen of Professor Lindley, which strongly urged the necessity of considering the subject, reminding them that the month of March was approaching, and that no time was to be lost in taking measures to procure an extensive cultivation throughout the two countries. Whether that would be restricted to merely the green crops, or should extend to wheat, or other such grain, it was not for him to say; but that seed should be supplied to Ireland, and the people set to work in cultivating the land, was the proposition which he deemed it his duty to bring before the House, and to press on the attention of Her Majesty's Government. The grand jury of the county of Longford had passed a resolution on the subject, which he would read to the House:—

> "We call on the Government and the Commissioners to allow the relief committees to employ on the land those now wasting labour and money on the roads, reminding them that the time for such employment will have passed, and our prospects for the next year be left more dreary than at present."

He believed it was the intention in various parts of Ireland to follow up this resolution by resolutions from other bodies to the same effect. There was a perfect unanimity amongst all classes, that the cultivation of the land should be taken in hand by Government, otherwise the scarcity of next season would be worse than anything they had yet experienced. He called the attention of the House to a letter written by the rector of Cong, the Rev. Mr. Moore, who stated that the people there say, "We should not fear anything if we had seed." He also called the attention of the House to a communication received from a Catholic clergyman in the county of Roscommon, with reference to the want of seed. In some districts, however, it would not be necessary to put the system which he proposed the Government should adopt in operation. In some, and he believed in many districts, private exertions would be available for the purpose. He could mention one case where that had already occurred, and which he had seen noticed in an Irish paper on the preceding day. He thought it right to mention the name of the individual who had set so laudable an example. He resided in the county of Meath; his name was Brenan, he held the lands of Rahane and Clonsilla, and he had announced that he would give premiums for the best and second best cultivation of every acre of oats that his tenants should undertake. In some parts of Ireland the suggestions which he sought to press on the Ministry and the House would be inapplicable, for the people in distress at Skibbereen were too much reduced by famine to be fitted for labour; but in other parts of the country, where as yet they were only on the road to the frightful state of things that existed in Skibbereen, they had not fallen so low as to be unable to work. Several of those persons were now working on roads, which in the absence of any other occupation was useful as affording the means of living; but it would be desirable if, instead of being engaged in cutting up the roads, they could be sent to cultivate the land, and thus afford them some chance of having a supply of food. He thought that some assurance should be given by the Government that when men were taken off the works to cultivate their holdings, that they should be ensured the possession of the crops. In some parts of Ireland the people made it a pretext for the non-cultivation of their land, that if they did so the landlords would seize upon the whole of the produce, and leave them as poor as ever. He thought that Government could provide for this under the provisions of the Labour-rate Act, so that the tenants could be ensured the enjoyment of their crops. Some hon. Gentlemen might think that his proposition was too large a scheme for the Government, and that it would ensure a much larger expenditure than any yet spoken of. That such a course would be advantageous was the opinion of many well acquainted with Ireland, and that the money now expended would be less thrown away in the cultivation of the soil than in the present mode of expenditure. It had been suggested in another place by a noble Lord, who was entitled to respect, as well from his own character as from his high station, that the tendency of the relief ought to be such as to make Ireland rely on herself for the future. Such observations might induce the House to abstain from giving further aid, for the destitution, he feared, was much greater than was anticipated. The people of Ireland had nothing to look to as a resource, for their whole capital had been destroyed by the failure of the crops. The right hon. Secretary for Ireland had estimated the amount of loss by the calamity at 17,000,000*l.*; but this was not the only loss, for the seed for the present season had also in a great measure been destroyed, or been consumed and dispersed. To such an extent also had the resources of the people been wasted, that they had parted with the manure for the cultivation of the soil. He would not venture to estimate in money the amount to be added to the 17,000,000*l.* of loss; but he would ask the House to recollect that all that had been done to meet this was the 10,000,000*l.* proposed to be given by the Government. To meet so large a gap there was nothing to be depended on in Ireland. If they looked to the landlords, they would find that the employment given by them in ordinary years would not be sufficient to employ any great number of labourers so as to afford sensible relief. He believed also that not one-half of the rents of Ireland had been paid this year; and with such diminished funds would they throw the charge on the landlords to supply the deficiency beyond the ten millions? There had been a great deal of talk in the newspapers respecting an increase in the deposits in the savings banks; but it would be found that the chief part of this had been placed there by persons preparing to emigrate. He must express his heartfelt satisfaction and gratification at the munificent charity which had been displayed in this country for the relief of the destitute people of Ireland; but it was impossible to suppose that private charity could supply the vacuum that existed in the amount that would be required. But when he looked with satisfaction at the private charity which had taken place in England, he could not allude without a feeling of pride to the subscriptions which had been made by the poor emigrant Irish in North America, and which amounted to the large sum of 200,000*l.* The question, however, was, how was the large deficiency to be supplied? He would suggest a mode by which two or three millions more a year might be spent in Ireland without injury to any one. He alluded to the absentee landowners, who by their present conduct acted as soldiers did who run away from an army while engaged in the face of the enemy. He could not understand why the Government, or the House, who naturally were anxious to provide means for the relief of the destitution with as little burden on the public funds as possible, did not resort to some measure with respect to the absentees. There were five or six millions going out of Ireland every year, the expenditure of which, he thought, could be ensured in that country, if the House passed a strong resolution, calling upon the proprietors of land, at least for the present year, to return to their country and do their duty. He wished to throw out these matters for the consideration of the House and the Government; and he trusted that, before they passed the Bills on the Table, they would see whether they could not embody some of them in these measures. With respect to the state of the absentee property, he would refer the House to a statement which had appeared in the most recent Irish papers:—

> "The Upper Leyney Committee (county Sligo), the Dean of Achonry, chairman, have anticipated the relief Bills. The district contains 97,000 acres, with 30,000 inhabitants, of whom two-thirds are destitute. Five hundred families get soup daily, and 1,000 families meal gratuitously weekly. In all cases of destitutes having land, and employed in cultivating it, an allowance is made of two pounds of meal and two quarts of soup daily, so long as they are at the loss of their wages on the public works, if occupied in sowing the land. Only on the estate of Mrs. Armstrong, of Chaffpool, has seed been provided from the commissariat depôt, and therefore there are active preparations made for cropping. Proprietors worth from 3,000*l.* to 8,000*l.* a year have not given a shilling, and it is only the resident proprietors who are doing their duty nobly in other parts of their estates, who have contributed at all. The largest proprietor in the district (an absentee) has, within the year, contributed one farthing in the pound of his rental in the district; and the smallest proprietor (a resident) has given 15*s.* in the pound."

Such a state of things ought not to be allowed to continue. He wished to suggest, in the first place, to the Government that they should furnish seed to such an extent as to enable the tenantry to proceed with the cultivation of the soil; and, secondly, that without changing any of the machinery now in existence for the employment of the people, that they should draw the people off the public works gradually, and put them on the land for the purpose of tillage. They had that night heard of new presentments having been made for public works; now instead of employing the people on them, and breaking up the land for roads, they should put them at once on the land. If the principle laid down in Mr. Labouchere's letter, and on which they had lately legislated, was applied more extensively, it would be attended with the most beneficial results. Under that Act it would be competent for the Government now to act, and employ the people in tillage instead of on the new presentments. The next suggestion which he would make was, that something should be done to make some provision between the landlord and tenant, so as to give some security to the tenants, by telling them that if they cultivated the land, they should have some security that the landlord should not be allowed to come down upon them and take away everything for rent. The next suggestion he would make was, that something should be done for the security of the tenant in the case of improvements. The last suggestion which he should make was one of great importance, namely, that the landed proprietors should be compelled to go to the place of danger, and be made to share in the general sufferings of the country, and they thus would have five or six millions more expended in the country, and that without any charge to the State.

Mr. LABOUCHERE: Sir, I will say to the hon. Gentleman that I am not at all disposed to express any surprise, much less any censure, that he and other Irish Members should take the occasion, whenever the forms of the House allow it, to bring the subject of the condition of Ireland before the House. That condition, Sir, is so very calamitous, that I am not surprised that those Gentlemen take every opportunity of impressing it on the House and the public. But I trust the hon. Gentleman and the other Irish Members will do me the justice to admit that I have never attempted to underrate the importance of the crisis; and I will say that, in my opinion, if any circumstance was necessary at the present juncture to stimulate the Government or the Legislature to do everything in their power for the benefit of their Irish fellow-countrymen, it would be found in the patient endurance of calamities almost beyond human power to sustain which the suffering people of Ireland have manifested. I make this remark with reference to the general body of the Irish people; but I also refer particularly to the people of Connaught and the west coast of Ireland, where the distress has been almost inconceivably great. Sir, the hon. Gentleman has made to the House certain distinct proposals, adapted as he considers for the amelioration of the present fate of the Irish people. Now, I feel that it is the duty of a Government, when proposals of this kind are made to them, to state distinctly what is their opinion upon those proposals. Doubtful, ambiguous language which may lead to misconceptions of the intention of Government, is not true humanity on such an occasion, but it is most likely to lead to deplorable results. I trust, therefore, that it will not be thought inconsistent with true humanity an the part of the Government, or with an anxious desire to do good to Ireland, that I am every day more convinced that it is not merely not the duty of the Government to do for Ireland that which the hon. Gentleman has pointed out as the proper course for us to pursue, but that it is not possible or practicable if we wished it. Under the circumstances of this peculiar case, the Government and this country have taken an unusual and extraordinary course, that it would have been totally unjustifiable for any Government to have taken under other circumstances. Following in the steps of our predecessors, we have attempted to employ the people of Ireland—a task which is beyond and not belonging to the functions of the Government, and which no Government could carry into effect without an abundance of abuses and many evils arising. For my own part, I beg to say that I entered on that course not blind to the inevitable rise of those abuses and evils, and I ventured to point out what those abuses and evils would be; but, nevertheless, I thought it was best upon the whole to adopt that course for the relief of those miseries of Ireland which I thought it was impossible for any Government of this country, in the nineteenth century, to sit by and see increasing without some attempt at relieving. Sir, I do not regret that we did so. I know now that the attention of the House and of the public has been aroused to the state of Ireland; that if we had allowed pestilence and famine to walk unchecked and without any attempt to impede them, in my opinion there would have been a cry of indignation and horror from one end of the country to the other, condemning the Government for having pursued that course. But circumstances have occurred that have rendered it impracticable to go on with the present system of public works. The first consideration is, that they have grown to such a magnitude as to have become wholly uncontrollable and unmanageable. My noble Friend told you the other night that we were now doing what I believe is unprecedented in the history of the world, employing no fewer than 700,000 persons on public works, controlled and paid by a central body; and here let me stop for a moment to do that justice which has not yet been fully done to a most deserving public body—the Board of Works in Ireland. I believe that nothing but the unwearied diligence, the spirit, energy, and activity of the officers of that board would have enabled them to discharge the duties set before them; they have managed by incessant exertions and the most anxious care to keep the system in good order without any general or manifest abuse; but it has not been possible wholly to accomplish that object. The hon. Member for Kilkenny has adverted to a most momentous subject. We have arrived at a time when labour must be applied to the cultivation of the soil in Ireland, if we do not mean to see the same events as at present occurring next year. I have no hesitation in saying that the employment of this great body of people on the public works is inconsistent with cultivating the soil. Every account from Ireland convinces me that there would have been no possibility of getting the people to apply themselves to the cultivation of the soil if the system of public works were continued. Have we then attempted to do that? Not at all; we have substituted another system for the system of public works, which we believe is more calculated to meet the evils of the present time; and we have asked the House to agree to a system, not of supplying labour, but of supplying food to the great body of the people. The Irish Government are now employed in arranging those complicated measures which are necessary to carry out that altered system. Do I say that the new system is not liable to abuse? I do not. I am satisfied that the Government will find some evils to arise out of their attempt to supply food, as they found some to arise out of their attempt to supply labour to the people. It cannot be otherwise, because it is not within the functions of a Government to supply food any more than employment to its subjects. There will be great abuse, I am convinced; but it is no reason because there will be abuse that we are not to do what we can for the relief of the evils of Ireland; and I believe that from the system last adopted, there will, on the whole, be found to arise the least amount of evil with the greatest amount of benefit. The House may depend upon it we shall do all we can to prevent abuse; and, in doing that, we shall be assisted by the relief commiteee, at the head of which is Sir J. Burgoyne, who with such devotion tendered his services to the Government—we shall do all we can to check abuse; but I should not deal fairly with the House if I said that I expected we shall be able to feed the great mass of the people without abuses, any more than we were able to employ the people without abuses. My excuse is this, that it is not fit for a Christian Government or a Christian Legislature to see their fellow-creatures swept from the land by famine and pestilence without doing what they could to check and control the progress of the calamity. But the hon. Gentleman asks us to cultivate the soil of Ireland by the direct interference of the Government. I will deal frankly with the hon. Gentleman, and tell him that would be impossible. I believe the attempt—for it would be only an attempt—to do it would lead to failure, and would paralyse the energies of Ireland. Indeed, it would be nothing but a failure. I think, therefore, it most fair to him and other Irish Gentlemen to say at once, that I altogether decline, on the part of the Government, to undertake that which is altogether beyond the functions of a Government, and could only lead to mischief. I say the same with respect to the supply of seed. To supply seed to a whole people, is that which no Government can undertake to do. I say that the provision of seed on the part of the Government would cripple private enterprise, and lead to irreparable mischief. I have had remonstrances and letters from all parts of Ireland from seedsmen, in respect to the seeds for green crops, of which they have laid in great stocks; large quantities of seeds of this kind have been accumulated in the principal towns of Ireland to meet the spring demand; and that I regard as a most striking instance of what can be done by individual exertions, as contrasted with what a Government can do in a question of this kind. With regard to the cultivation of the soil, it is impossible to overrate the importance of making every effort for preparing the soil for the crops. I believe that in many parts of Ireland every exertion is made by the landlords in order to encourage their tenants to cultivate and sow the land; but I am sorry to be obliged to agree with the hon. Member for Kilkenny, that there are parts of Ireland where, I fear, that duty will be neglected. I know very well what is the crippled condition of many Irish proprietors just at present; I know that it is unjust to ask them to do that which it is impossible they should do at the present moment; but I hope that both from motives of present interest and of patriotism they will be willing to do that which is in their power for the encouragement of their tenants in this respect. When we consider how much of Ireland is held in small holdings, and how many there are who have lost the whole of their small stock of potatoes, and how incapable they are of obtaining seed, I do hope that every exertion will be made in their favour by the Irish proprietors. I do not, however, rely entirely on that; but I hope that what the Government has already done with the sanction of the House, will produce a very considerable effect. The principle of that measure is, that relief shall no longer be given in wages, but in food; and I hope that the result of it will be, that men who have received that food which is to sustain them, will go either on to their own land, or on to the land of the farmer, and there endeavour, for wages, to earn their future subsistence; and I do assure the House, that it will be the business of the Government to endeavour to ascertain the real circumstances of those who apply to them for relief in food, and to take care, as far as they can, that the population shall not neglect the cultivation of the land for an attendance upon the soup-kitchen. I think it would be most dangerous that the population of Ireland should be encouraged to live in idleness; but I think they will feel they ought to labour when at the public charge they have been receiving food in order to enable them to subsist in the meantime. I will read to the House an extract from a letter which happened to be put into my hands just before I came down, as I think it will illustrate the manner in which checking the public works will operate. Major Fitzgerald, inspecting officer of relief in the county of Clare, says, in his report of the week ending Saturday, February 27, 1847, with respect to the baronies of Upper Tulla and Upper Bunratty:—

> "For the first time I have the pleasure of reporting that this week I have seen tillage in progress in my district. Some of the workmen have left the roads to sow their wheat and oats. I am aiding this salutary movement in every way I can. I have struck off from the relief lists, this week, upwards of 1,200 names, and shall probably get rid of more next week. Two of the committees have complained to me, that, in consequence of the public works, there is a difficulty in getting horses for farm labour. I have requested the engineers to dispense as much as possible with horse labour."

Sir, I do not know that I need trespass further on the patience of the House; but the hon. Gentleman reminds me that I have not referred yet to what he said on the subject of absenteeism. I assure him that I am not more in love with absenteeism than he is. There are many absentees, however, some of whom I have the honour of knowing, that most honourably have done their duty; but I will not compare anything that can be done by an absentee with that which it is in the power of a resident Irish landlord to do, for he is able to encourage and support those around him both by his example and his advice. Some absentee landlords, I am bound to say, sadly and shamefully neglect their duty; and I know many instances, like those mentioned by the hon. Gentleman, where the resident proprietors have come forward with their time and their money to assist their distressed neighbours, and where they have owners of a very considerable property held in the district who refuse to come forward with anything whatever to relieve the destitute of the place. I assure the hon. Gentleman that I agree with him in thinking that the proper place for an Irish landlord, under the present circumstances of that country, is in Ireland; but I must say, that if a sense of their duty to their dependents and of their public duty to their country does not operate with them to produce that effect, I am afraid that a resolution of this House would have very little efficacy to bring about that result. With respect to the question of landlord and tenant, I have to say that the Government has attended to the subject of the improvement of the relations between landlord and tenant; and though I do not adopt the notions of the hon. Gentleman, I am fully aware that it is a subject of vast importance, and I can assure him that it is one that has not escaped the attention of the Government. Before I sit down I may say that I have very great satisfaction in finding that many proprietors in Ireland are entering into engagements with their tenants for advancing them seed, in order to enable them to cultivate their small holdings, the tenants being bound to give them a lien on the next crop. I think that is an admirable arrangement, and I hope the landlords will adopt it extensively. I think it will not be prudent to touch such a subject by means of a legal enactment, for I am convinced it will be much better to leave it to be arranged between the landlord and tenant; and I certainly hope that the arrangements I have mentioned will be extensively adopted in Ireland. I can assure the hon. Gentleman that the subjects to which he has referred have deeply engaged the attention of the Government; and if I do not adopt his suggestions it is because I do not think it would be for the interests of Ireland that the Government should do so, these not being questions in which a Government can profitably interfere.

Mr. SHAW said, that he should have concurred with the hon. Gentleman (Mr. J. O'Connell), who had introduced the discussion, on the advisability of employing the labouring population, now engaged on the public works in Ireland, in the tillage of the land, were it only practicable. He must, however, frankly say that he did not think it was practicable; but that, as the right hon. Gentleman (Mr. Labouchere) had stated, if the Government made any such attempt, it could only lead to disappointment, and result in failure. The duties of the present board had been sufficiently onerous and complicated in administering the public works of Ireland; but what would these difficulties be, if a board were appointed for the public farming of the entire country? So with regard to seed, he agreed with the right hon. Gentleman (Mr. Labouchere), that to give seed corn on a scale commensurate with the wants of Ireland would be impossible; and to hold out the hope could only raise expectations which could not be realized, and would tend to paralyse individual exertions. Before he sat down, he must advert to a subject which had been urged upon the Government in the early part of the evening, in the shape of not very regular questions—he meant the proposition of the hon. Member for Montrose, and other hon. Members—that the Government should name an early day simultaneously and peremptorily to put a stop to the public works throughout Ireland. Such a step would be fraught with the utmost cruelty and danger. Did those hon. Members consider, that if, as the noble Lord (Lord J. Russell) had stated that night, there were 700,000 men employed upon those works, that made about three millions of persons depending upon the wages earned at those works for their subsistence; and if that was suddenly stopped, what was to become of that mass of persons? He had lately received a letter from a very active chairman of a relief committee—an extract from which, bearing on the point of that difficulty of transition from the public works to the ordinary occupations of the people, and also as to the increasing distress amongst them, was as follows:—

> "I do not believe there is any labour relief committee in Ireland which has found the smallest difficulty in supplying the farmers with labourers from those they had not room for on the public works. We could certainly have done so here, even where no cottier tenantry exist. Every one who knows the state of things in this country is unable to understand how that enormous surplus

labour population is to find employment. Occasional days will not do: a man cannot even half live, which is all they are able to do now, without weekly wages. The distress has greatly increased —the people have used every means to keep afloat; pawned every article they possessed, almost to their clothes. They then went in debt—now all fails them—every saleable article is gone—so is their credit, and this while the public works are going on."

Again—

> "Any one who has had practical experience of relief committees, knows the almost insurmountable difficulty of selecting proper objects for recommendation to the public works; but now that the temptation to fraud will be so much greater, that difficulty will be considerably increased, and I believe almost every man, woman, and child in the district will apply for relief—and not consider it a disgrace to exist upon charity."

The whole case was indeed truly difficult of solution. It would be ungracious to blame the Government, who, he believed, had done their utmost to meet the emergency. He cordially joined with the hon. Member for Kilkenny (Mr. J. O'Connell) in acknowledging the munificent liberality of the people of England. He was glad that the hon. Member had referred to the proceedings of a committee in Sligo, presided over by the Dean of Achonry, in which ample justice was done to the exertions of the resident gentry of Ireland, where it was stated—and he was persuaded it was but a fair sample of the country generally—that not less than fifteen shillings in the pound of their incomes had, one way or other, been lately spent in alleviating the sufferings by which they were surrounded. It was true that the Labour-rate Act on which they had been acting, and the Temporary Relief Act that was then substituted for it, had been open to many theoretical objections, and were necessarily exposed to many practical abuses; but it had not been a matter of choice: dire necessity was their justification; and if that was said to be the tyrant's plea, famine had been the tyrant, and it had driven them to the alternative of adopting some such measures to satisfy the exigency of the moment, or of suffering thousands—it might be millions—of the people to perish of want. He could only again say, in conclusion, that he could not in fairness attempt to fix upon the Government the responsibility of tilling or sowing the land in Ireland: he could only hope that the relief committees might be able to stimulate the people to the cultivation of the soil, and to adopt such means as might best help them through the present calamitous crisis.

Mr. M. BELLEW said, that when the Poor Law was passed it would do more than anything else for the improvement of Ireland; and he could not concur in the suggestions of the hon. Member for Kilkenny, believing that his proposals were impracticable, and that if they were practicable they were not desirable. The difficulty of any arrangement between landlord and tenant would be a great obstacle to any such works as were now proposed from being carried on. He was not one who thought that the public works had been altogether unserviceable; and if they were, all were responsible for them, and not the Government alone. The present calamity was like a fire or an inundation; and therefore it was fair to do all in their power to relieve it: this, in his opinion, had been done by the 10,000,000*l.*, and he did hope that, though they did not accede to this suggestion, the quantity of land which would remain untilled would be very small.

Mr. FITZGERALD thought that the people employed should be changed from the public works and turned upon the land. It must be three weeks or a month before the Bills now before the House would become law; and in the interval he asked whether it would not be better to employ the people in tilling the land than in unproductive works? Every one who had heard the right hon. Gentleman the Secretary for Ireland, was convinced that the Government had done their utmost to benefit the people of Ireland; but it would be impossible for the greatest exertions of the landlords to make up for what was lost; and he thought that the Relief Commissioners should have power to select works on the land, and he did not see any difficulty in taking a certain number of hands from the public works and securing the crops for the present year. In a letter, dated the 1st of March, it was stated that the land for ten miles round Limerick, on both sides of the road, was uncultivated; and it was not too late now to supply the deficiency, though it would be if they waited till all the Bills passed. Then, with respect to a supply of seed, he thought that desirable, because the farmers had been living on their seed corn, on the faith that the Government would render assistance. The resident landlords had done all in their power, and more than they could well afford, to relieve the distress. He regretted that the non-resident had not equally assisted, for he agreed with the right hon. Gentleman that no sum they could send to Ireland could compensate the Irish tenantry for their non-residence; and he would compel all the landlords to reside during the next six months on their estates, and not leave those who were resident alone to contend with the distress.

LORD J. RUSSELL: I have nothing to add to the statement made by my right hon. Friend; but the argument used by the hon. Gentleman who has just sat down, for the purpose of inducing Her Majesty's Government to reconsider the proposal of the hon. Member for Kilkenny, induces me to rise, not so much to attempt to argue the question, but to declare what is the opinion and determination of Her Majesty's Government upon this subject. The hon. Gentleman expressed a hope that we should interfere, and should undertake the tillage and sowing of the land. He says that this is the time, and that very soon the opportunity will be lost. At the same time the hon. Gentleman gives us what I should think was a very strong warning against taking such a course, by stating what has been the effect of the determination I some time ago declared, that 50,000*l.* should be given for seed. I had hoped that the small amount of that sum would obviously only be applied to particular cases; and, as the noble Lord opposite said it would not buy 25,000 quarters of oats, that it would prevent any extravagant hopes being raised. But the hon. Gentleman says, that numbers of farmers have consumed their seed corn, believing that they might obtain seed from the Government. If such were the result of that declaration, what would be the effect if the Government were to say that the tillage and sowing of the land of Ireland should be undertaken by the Government? Would it not put an immediate stop to all the ordinary means of tillage at this moment? Would not every farmer and labourer wait, expecting that the Government would undertake the whole? and the number of 1,100 officers, even if they were multiplied ten times, would be found unable to undertake so gigantic an operation. And what would be the end of our proposing to do so? I think it is therefore necessary that the intention of the Government should be understood. We lament very much that in certain instances, in certain districts, tillage has not proceeded; but I have still a great hope that that tillage will be found much more general than hitherto expected; but the only ground upon which I rest that opinion is the well-understood intention of the Government not to interfere, expecting the landlords, farmers, and labourers, will undertake the tillage and sowing of the land for themselves. I will not now enter into the question of absentees, and other subjects, thinking it better to discuss them when they come more immediately before the House.

MR. G. A. HAMILTON said, he had no intention of detaining the House; but he felt bound to say, he concurred fully in one sentiment which had fallen from the right hon. Gentleman opposite, the Secretary for Ireland, namely, that sufficient justice had not been done to the gentlemen who composed the Board of Works. Really, when the House considered the immense, and complicated, and onerous duties these gentlemen had to perform—when it considered the enormous responsibility connected with the superintendence of more than 700,000 labourers—the tendency to abuse, and, on the whole the quiet and orderly conduct of so large a mass, it was impossible not to feel that the highest praise was due to these gentlemen for their ability and conduct on such an emergency. He was anxious also to state, that he concurred fully in the opinions expressed by the noble Lord who had just sat down, and the right hon. Secretary for Ireland, in respect of the inexpediency of Government undertaking to employ people to till the land in Ireland. He knew there was a strong feeling on this subject in that country; but when the Government came forward and declared their intention of taking a course which might be unpopular in refusing to till the land, because they thought that an opposite course would really aggravate the evils of the country, he, entertaining the same opinion, felt bound to get up and say so, and take his share of the unpopularity of such a statement. He had no doubt, in his own mind, that if Government was to announce an intention of undertaking works of tillage, the effect would be to paralyse and suspend the tillage of the country, instead of promoting it. The right hon. Gentleman had recommended arrangements being made between landlords and tenants, by which the landlord might till the tenant's land for him, and repay himself in harvest. He believed there was a disposition on the part, both of landlords and tenants, in many parts of Ireland, to make such arrangements. He was afraid, however, the lands were untilled to a much greater extent than some hon. Members seemed to imagine. He had himself a great many letters on the subject; but he would not detain the House by reading them. But where tenants would not consent to make arrangements with their landlords, there were great difficulties in the way; and there was also another class of cases which he feared would be found numerous in the west of Ireland, he meant cases in which cottier tenants or small farmers abandoned their land altogether. In none of these cases had the landlord or any parties the power of entering upon the lands so abandoned. The law did not afford the means of doing so by any easy process. Now, he thought something might be done to meet those cases. He knew it was a difficult matter, and he would be sorry to give any advantage as against the poor cottier at a time like the present; but he thought a power should rest somewhere, either in the landlord or in the relief committee, or in the petty sessions, to let the land so abandoned for the next crop, perhaps to the adjoining farmer, as conacre for the tenant; and that after next harvest a certain portion of the crop should be apportioned to him as a payment for the use of the land.

Mr. B. ESCOTT was quite sure, that all those hon. Members who had listened to the statement made by the right hon. Gentleman the Secretary for Ireland, would give him credit for his anxiety to do everything that was in his power to mitigate the distressing evils which at present pressed upon the people of Ireland. He must, however, say that the longer he had been listening to these painful details, the more was he inclined to make up his mind to the conclusion, that, instead of any extraordinary measures of this kind being calculated to confer any real or permanent benefit upon Ireland, they were more likely to do harm than good. He was inclined to believe, from all that he had heard, that the only true measure to which they could trust, was that of giving every facility to the importation of food from all parts of the world. They should also inculcate the absolute necessity of observing the strictest economy upon all classes of the community in the consumption of food. That part of the subject was, he believed, not considered with that care which it deserved. The hon. Member for Kilkenny said, with the utmost apparent sincerity, that they could not economise in Ireland. [Mr. J. O'Connell: I said we have nothing to economise.] Yes; but they had something to economise. Did they not know that every bushel of wheat made into wheaten bread might be extended to double the quantity if it were made into a much more wholesome and nutritious article of subsistence? Would not that be economy? Those who had examined this subject, stated that they could make from two bushels of wheat, by economical management, as much and more nutritious bread, than was generally made by the ordinary mode out of three bushels. They would be thus saving at least one-third of the wheat that was at present generally consumed in bread. The House must acknowledge that a saving by this means of one-third of this farinaceous food would be the greatest blessing that could possibly be conferred upon the inhabitants of Ireland. It was one of the most admirable dispensations of Nature, that the most wholesome food from wheat was made by the waste known by the name of wheat-bran when brought into the manufacture of bread. The coarsest of bran with the finest of flour made the best and most wholesome bread that man could consume. When they considered that last Monday wheat was 76*s.* a quarter in Mark-lane, the necessity for adopting this course was the greater, so that the present scarcity might not be still further aggravated.

Subject at an end.

HARBOURS OF REFUGE.

Mr. RICE took the opportunity of reminding the Government of the propriety of improving their harbours, particularly upon the southern coast of England. The French Government had proved themselves very active in this respect, in the improvements that had been recently effected in Calais and other harbours. He trusted that that feeling of pride for their naval superiority would induce the Government to devote their immediate attention to this subject. He knew he would be told that this was not the time for entertaining such a subject, because of the vast expenditure that they were obliged to encounter under the present disastrous state of Ireland; but he still did not think that this subject could be with safety much longer delayed, and he could only express his surprise that it had not been before attended to.

SUPPLY—ORDNANCE ESTIMATES.

House in a Committee of Supply.

Colonel ANSON said, that in moving the Ordnance Estimates for the service of the ensuing year, he wished it had been in his power to propose estimates more in accordance with the views of the hon. Gentleman the Member for Coventry, than those before the House; but he hoped that that hon. Member would not give an unwilling assent to them, provided he could show that they were both necessary and unavoidable. He was a strong advocate for economy; and however blameable it might be at any time to disregard that principle, it would be peculiarly so at the present moment, when there were so many demands upon the country. He believed, however, that there was as much economy in the application of means as in providing them. On a former occasion, the hon. Member for Montrose had said, that he would allow these estimates to pass without objection; he taking it as a matter of course that they must follow the Navy and Army Estimates; and that he would content himself with entering a protest against them: he would, however, assure the hon. Gentleman (Mr. Williams), who represented the hon. Member for Montrose, that he had no wish to avail himself of that forbearance; but that if any hon. Member objected to any one of the items, he hoped to be able satisfactorily to prove, that these estimates had not been prepared without due consideration and every regard to economy, and the efficiency of the service. The gross estimate for the ensuing year for the ordnance service, was 2,679,157*l.*; for 1846–7, it was 2,543,569*l.*—the increase, therefore, was 135,588*l.* It would be seen, on reference to the notes in the abstract of the votes, that with regard to three items a considerable reduction had been made last year, in order to have a better arrangement, by only voting for the service of the year a sum of money actually to be paid within the year. The reduction so made, amounted to 67,299*l.*; and he thought he had a right to deduct that sum from the apparent increase over the last year, and that would leave only 68,289*l.* as the actual increase. The first vote he should ask from the House was for the pay, allowances, and contingencies of the ordnance military corps. That vote was 617,239*l.* For 1846–7, it was 575,675*l.*; being an increase of 41,564*l.* Under that head were three services—the engineers, the sappers and miners, and the corps of royal artillery. Upon the first of these, there appeared to be an increase of 5,928*l.* That did not arise from any increase in the establishment, but from the additional employment of the engineer officers; and it was unnecessary for him to say, that when those officers were employed or called upon to undertake public duties, their efficiency was such that he believed, notwithstanding the expense, the public were fully compensated by the great utility of their service, and the knowledge and experience they displayed in it. It being a matter of notoriety, that whether in peace or in war the corps of engineers were pre-eminent for all those qualities which could be applied to useful purposes, he was confident that there was no Member of that House, nor any person out of it, who would grudge them the remuneration which was due to their merits. He might say as much for the sappers and miners; or, perhaps, more. This body was composed of most intelligent men, who applied themselves most assiduously to the discharge of their duties, and were equal to any service which they might be called upon to perform. There was only a trifling increase in the present estimate under this head. The sum required for the artillery exceeded that voted last year by between 30,000*l.* and 40,000*l.* The increase had been caused in this way: his noble Friend the Master General of the Ordnance thought it advisable that the number of the artillery force should be increased; and the Government, acting on his recommendation, had not hesitated to sanction the addition of 1,200 men for that purpose. The arrangement was now in progress. The recruiting was going on, and he was happy to state that no difficulty was experienced in getting men fit for the service; on the contrary, recruits of a better description were being raised than had ever before entered the service. In order to carry out the arrangement as economically as possible, it had been determined that the increase in the number of men should be unaccompanied by any increase in the number of officers. The number of men provided for by the vote of last year, was 8,222; that to be provided for this year, was 9,432. It was not probable that this number of men for the artillery would be deemed to bear an extravagant proportion to the whole military force of the country. Indeed, taking into consideration the various duties which the artillery corps were called upon to perform at home, as well as in our numerous and extensive colonies, it was a matter of astonishment that so small a body was able to meet the exigencies of the service. Still they had done so, and, it would be admitted, most efficiently. It must be borne in mind, that there was no prospect of the services of this corps being diminished in severity. The Government had found it necessary to direct their attention to the improvement of our home defences, by adding to the efficiency of our internal and seaport fortifications. He trusted that no circumstances would arise to make manifest the necessity of having recourse to these measures; but, nevertheless, as the increase of fortifications had been determined on, there must be a corresponding augmentation in the number of men to man them. If, as he hoped, no occasion should arise to test the wisdom of the measure, with reference to the circumstance at which he had merely glanced, the increase in the number of the artillery corps would, nevertheless, be productive of advantage, by the facilities it would afford of extending the system of reliefs to foreign stations, which was essential to the efficiency of the service. The second vote was for commissariat and barrack supplies for the land forces, and great coats and clothing for the army. The sum required under this head, was 370,464*l.*; that voted last year, was 340,881*l.*, making an increase this year of 29,483*l.* This increase was susceptible of easy explanation. It was attributable to the increased charge for commissariat supplies, and also to the great advance which had taken place in the price of forage for cavalry horses. The price of rations was 3*d.* a head more in Ireland, and 1½*d.* more in England, than it was last year. The excess of charge on the commissariat supplies, as compared with last year, amounted to 33,652*l.*, and on barrack furniture, 2,000*l.*, making a total excess of 35,652*l.* Under the head of great coats and colonial clothing, a considerable diminution of charge appeared in the present estimates; amounting to no less than 25,142*l.*, as compared with the charge for that item last year. Deducting that decrease from the sum previously mentioned, namely, 35,652*l.*, an actual increase remained of 10,507*l.* But one-twelfth of the sum required for commissariat supplies not having been voted last year, an excess was occasioned this year of 18,976*l.*, which caused a total increase on the estimate for 1847–8 of 29,483*l.* In point of fact, however, had it not been for the unavoidable excess this year of 33,652*l.* for commissariat supplies, occasioned by the extraordinary rise in the price of provisions, there would have been a considerable diminution in this vote. There was also an increase in this vote of 7,000*l.* for increased issue of fuel to the troops, which had been last year the subject of some remarks in that House; and it would also be seen that there was a larger sum required by 4,150*l.* for the actual quantity of coals, &c. for barracks in Great Britain and Ireland, arising from the increase of price in that article beyond that of last year. The third vote was 96,447*l.* for salaries in the ordnance offices in the Tower and Pall Mall. It was unnecessary to trouble the Committee with many observations upon this vote. Objections had sometimes been made to the establishments, on the ground of their being more extensive than was requisite; but, speaking from his own experience, he could say that the objection was not well founded. The clerks employed in the offices were most efficient, and devoted the whole of their time to the service of the public. There was a small increase in this vote, amounting to 1,544*l.*, which was accounted for chiefly by the introduction into the Tower of the metropolitan police force, to supersede the old system of watching. Any person who was acquainted with that locality, must be aware that the alteration which had been made in this respect was a considerable improvement. Vote 4 was 228,130*l.* for the establishments at home and abroad. There was an actual decrease on this vote, as compared with last year, of 2,035*l.*; but to show this, it was necessary to take into account 7,129*l.* for one-fourth of the ordnance salaries at foreign stations not voted last year, which caused an apparent increase in the total vote for 1847-8 of 5,105*l.* The sum called for in Vote 5 was 137,852*l.* for the wages of artificers and labourers employed at the several establishments in the United Kingdom and colonies. The sum required under this head last year was 125,392*l.*, which was less than the present vote by 12,460*l.* The augmentation this year was caused by the increased number of artificers employed at Woolwich on naval and other equipments, and likewise by an increased expenditure at the Cape of Good Hope, arising out of the Caffre war. The increase which had taken place in other branches of the public service necessarily occasioned an increase in this department. It had been found necessary to augment the numerical strength of the laboratory and the carriage department at Woolwich. This department had been reduced too low before, and under the peculiar circumstance of the time, it was absolutely necessary to get up arrears. Vote 6 was for ordnance stores. The sum required for this item last year was 390,184*l.*; that for this year was 368,712*l.*, showing a decrease of 21,472*l.* It might appear contradictory of the observations which he had made with reference to the last vote, that a smaller sum was required for ordnance stores this year, than was called for last year. The fact, however, was, that very large sums had been voted of late years for ordnance stores. In 1847 no less than 225,493*l.* was appropriated to that purpose. He believed that those votes were necessary, but still the ample provision made for the public service under this head, in former years, gave the Government an opportunity of calling for a much smaller amount on the present occasion; and that circumstance explained the diminution in the charge for stores in the present estimate. The vote referred to a most important branch of the service. Nobody could suppose that the sum taken for the supply of small arms, namely, 120,000*l.*, was larger than was required, on account of the great change which had taken place in their structure. It was satisfactory to know that, with the exception of two or three regiments coming from abroad, the Army was now supplied with arms constructed on the new principle. A gradually increasing supply of arms would be kept up every year, but the stock would not be permitted to accumulate to the extent which was apparent at the close of the late war, when there were 700,000 or 800,000 muskets in store. For the supply of iron ordnance, shot, and shells, for land and sea service, the sum of 57,431*l.* was required, being 7,431*l.* more than was voted last year. Considerable changes were always taking place, as the hon. and gallant Admiral opposite knew, in the construction of ship guns. The authorities on this point never seem to have been agreed as to the description of guns which ought to be supplied to the Navy. He hoped that the present Board of Admiralty would take this into their serious consideration, and only sanction those alterations which were manifest improvements; and by acting upon this principle, the country would be saved a large, and, in some instances, perfectly useless expenditure of money. The next vote was No. 7, 632,765*l.* for works, buildings, and repairs; the sum required under this head last year was 611,986*l.*, showing an increase in the present estimate of 620,779*l.* The circumstances of the time had imposed upon the Government the necessity of considering the propriety of improving the defences and fortifications of the country. It must be apparent that the substitution of steam for sailing vessels in the marine of foreign countries had placed England in a different position from that in which she formerly stood; and it was necessary we should be prepared to meet any emergency which might arise. The Government, being deeply impressed with the importance of these considerations, had exercised a wise discretion in the way in which they had appropriated the sum voted for the estimate at which he had now arrived. Formerly, it was the practice to expend large sums in colonial works; at present the money voted was to be principally expended on works at home. He would enumerate some of the items which were comprised in the present estimate: Purchase of land for defences for the dockyard at Pembroke, 20,000*l.*; improvement of fortifications at Plymouth harbour, 9,805*l.*; battery at Picklecombe Point, 9,000*l.*; improvement of fortifications at Guernsey, Alderney, and Sark, 8,909*l.*; Liverpool new battery, and site for new north battery, 4,000*l.*; fortifications at Portsmouth, 11,638*l.*; fortifications at Sheerness, 14,217*l.*; about 5,000*l.* for Bermuda, a most important position for the protection of our commerce, and as a naval station; 6,000*l.* for rebuilding the sea wall at Demerara; 20,000*l.* for works at Gibraltar; 8,700*l.* for a new hospital at Grenada, which might appear a large sum, but was, in fact, the general hospital for the islands in those seas; 12,000*l.* for the Ionian Islands; 12,000*l.* for improving the fortifications at Malta; 5,000*l.* for the Mauritius, also one of our most important colonial possessions; and 9,000*l.* for completing the citadel at Halifax. A considerable sum had also been taken for barracks—30,000*l.* for Preston, and 10,000*l.* for a new barrack at Sheffield, which was most urgently required; and when they considered the demands that had been made upon the Government to improve the comforts and conveniences of barracks generally, and which had been attended to and followed out wherever the want was most apparent, he trusted the House would not disapprove of the vote which was now submitted to them. He must also mention the sum of 40,000*l.* for the conversion of buildings to be used solely for the reception of soldiers convicted of military offences; and 5,000*l.* for washing places in the barracks. The next vote to which he came was 58,986*l.* for the expense of the scientifie branch of the surveying department, being a decrease of 2,000*l.* from the vote of last year. The question of the surveys of Ireland and Scotland had often been mooted in the House, and complaints were made from both countries. From Scotland the complaint was, that the whole amount voted for the survey was not expended there. This was true. Out of the 10,000 voted for Scotland, on an average not more than 3,000*l.* had been appropriated. But the money was not spent in any other way; it was returned into the Treasury and was still available. There were good reasons why it had not been used; the fact was, the whole strength of the survey establishment was required in Ireland, it being deemed most necessary to carry out and complete the survey of that country; thus all their strength had been directed to Ireland instead of Scotland. The scale of the map of Ireland had given rise to much discussion; it had been proposed to give them a 1-inch map as well as the 6-inch one, which was now nearly completed. The smaller scale would be more convenient; but there was no doubt the larger one was superior in the degree of information it afforded. The opinions of scientific societies had been taken, and were decidedly in favour of the large map; but whether it should be left to the trade to reduce the maps to the scale of three, two, or one inch, according to convenience, or that the Government should undertake it, had only lately been decided in favour of the former course; and considering the large expense of the latter map, taking it upon themselves—namely, 60,000*l.* at the lowest probable estimate—the House would probably concur in the propriety of their decision. In the vote for the scientific branch were included the expenses of the Royal Military Academy at Woolwich, in which there was no increase over last year. The next vote was for the non-effective services, military and civil, 168,532*l.*, showing an increase under this head of 48,073*l.* in the present year. The civil non-effective service had exhibited a large diminution during the last ten years; but it had been accompanied by a corresponding addition to the military branch. He believed he had now stated all the estimates in the order in which they had been presented to the House. The increase in some of the items arose from unavoidable circumstances, such as the high price of provisions and forage. He knew that the expenses of this department had always excited observation; the total now was 2,679,127*l.*, while ten years ago it was 1,500,000*l.* He thought it right, therefore, that the House should be made acquainted with the different services which had been thrown upon the ordnance department within the last few years. The board itself did not originate these expenses; it was called on to supply services transferred to them from other departments. In 1834, the whole sum demanded was 1,604,000*l.*; in the present year, it was 1,000,000*l.* more than that amount. Persons were naturally astonished at this large increase of expense; but it was entirely caused by expenditure thrown upon the board from other departments. Thus, in 1835-36, the commissariat was thrown upon it, involving an expense of 261,367*l.*; in 1839-40, for works and repairs in the Ionian Islands, 24,000*l.*; in 1842-43, for colonial barracks in Jamaica, 7,757*l.*, and barracks in Mauritius, 7,000*l.*; at different periods various new establishments had been placed under the board, with an expense of 130,623*l.*; in 1844-5, for black servants allowed to civil officers, 2,928*l.*; in 1843-4, for hire of buildings and barrack accommodation in the colonies, 43,157*l.* These two items were previously charged to the Treasury. In 1845-6, for clothing, &c., for colonial corps, 19,397*l.*; pay of military librarians, 892*l.*; lodging money to regimental officers at home, 3,000*l*,; an item for great coats for men added to the line and artillery, in 1833-4, for surveys of counties, 15,000*l.*; for providing buildings for soldiers convicted of military offences, 40,000*l.*; for wash-houses for soldiers in barracks, 5,000*l.*; for additions to military corps in 1843-4, beyond the number in 1833-4, 171,108*l.*; the amount expended in fortifications, works, and repairs in the present year, above the sum required for the same purpose in 1833-4, was 393,293*l.* Taken with these additions, the vote for 1833-4 would amount to 3,026,348*l.*; for this year, also including the charge for these additional services, the vote was 2,862,484*l.*; the same services were, therefore, actually less this year than in 1834 by 163,864*l.* The new stations that had been placed under the board since 1834 were the following: Sydney, Hobart Town, Toronto, Rideau Canal, Carillon, Graham's Town, St. Helena, Honduras, New Zealand, Hong Kong, Pembroke, Birmingham, Weedon, and Fort Garry; these created the before-mentioned item of 130,623*l.* He wished to make one remark as to the appropriations in aid, contained in these estimates. He confessed he would much rather see none; he thought the produce of the sales of Ordnance property, instead of being appropriated to their current expenses, had far better be carried to the credit of the Treasury. He could not see any objection to this course; it would simplify the estimates, and, as the country would get the money, it would come to the same thing. He was sorry to have detained the House so long with details which might appear to many extremely dry; but they could not be uninteresting to those who watched the course of events both at home and abroad. It was essential to look into the details; and it would be readily acknowledged that no branch of the public service embraced more important, as well as essential and interesting duties. The hon. and gallant Officer concluded by moving a Vote of 617,239*l.* for pay, allowances, and contingencies for 12,392 officers and men of the several Ordnance corps and departments for service at home and abroad; which having been put,

MR. WILLIAMS said, he should perhaps do better in letting these estimates pass without remark, as the hon. Member for Montrose did last year; they were called on to vote several millions, and during the greater part of the hon. and gallant Gentleman's statement there were only twenty-nine Members in the House. This proved how little interest was taken in the question, and how little encouragement there was for any one to point out what he conceived to be an uncalled-for expenditure. The hon. and gallant Officer had referred to the estimates of former years, and explained the increase by the new services that had been thrown upon the Ordnance Department. In 1834 the estimate was 1,068,000*l.*; in 1835, 1,151,000*l.*; in 1840, 1,893,000*l.* Now, in 1840 England was engaged in the Chinese war, and had the largest naval force afloat she had had in any year since the peace; we had not less than seventeen sail of the line in the Mediterranean, all to be equipped from the Ordnance Department. He now asked the hon. and gallant Gentleman the same question he had put to the Secretary at War—what was the necessity for this great increase? He objected to the increase in the estimates for the artillery. This was, no doubt, an important branch of the service, and one which it was incumbent on them to have always in a most efficient state; but the estimate was much higher this year than it had been during twenty years, and some account should be given of the causes which had led to this change. He thought that difficulties would never cease to present themselves to the House when called upon to assent to the different estimates, if that rule which prevailed in France and in the United States were not adopted in England—if a Committee of Inquiry were not appointed to examine into and report upon every separate item.

SIR HOWARD DOUGLAS said: I rejoice at the increase in the number of artillerymen, but think it very inadequate to the wants of the service. We have increased and improved our coast defences, mounted everywhere an immense number of additional pieces of ordnance, but our establishment of artillery is still utterly insufficient to man them, even with the smallest proportion of well-trained artillerists. Gunnery in another war will not be playing at bowls; and whatever expense we may go to in improving the material of our defences, the country will not be safe unless they are efficiently manned. I shall not name any particular places; but, in reply to the hon. Member for Sheffield, who asks an explanation as to the necessity of this increase of artillery, I will just advert to three points of defence—stations with which I am professionally well acquainted, and have had something to do. On one, there is mounted 329 pieces of ordnance; and how many artillerymen does the hon. Member think are there? Why, about half a man per gun! I advert to another, on which there are 175 pieces of ordnance at least, and there the proportion is about the same. I know of a foreign station on which there are 335 pieces of capital powerful ordnance mounted; and there are not half the number of men in that garrison. And then, the wants of the service in this respect in other parts of the world. When the native war commenced in New Zealand—a formidable war, which required absolutely a considerable artillery force, and for want of which we suffered severely—we had not, as I told the House at that time, a single artilleryman, nor a piece of field ordnance of any description in the whole of our colonies in that quarter. I trust that adequate additions may be made to this important branch of the service, without which all our other improvements will prove unavailing.

MR. GOULBURN thought, with the gallant Officer (Sir H. Douglas), that the increase in the artillery estimates had been unavoidable. Last year the Government reviewed the service, and undertook certain improvements, and the additional expense which was now submitted for consideration had been incurred in carrying out and perfecting the suggestions and experiments of the late Government. There was no doubt that the safety of the country had demanded the increase of which the hon. Member complained. He did not think that the gallant Officer would be able to carry out his views with respect to the manning of a more extensive scale of fortifications at home and abroad; to attempt the accomplishment of that which the gallant Officer evidently considered so desirable, would be altogether without the bounds of common prudence. He regretted that his gallant Friend did not think it advisable to resume those naval experiments which the Court of Admiralty, in 1845 and last year, had pursued with such benefit to the service. They could not ensure efficiency without trial of every plan, project, and recommendation appearing at all feasible; and it seemed to him that expense in such a manner was never more satisfactory. His gallant Friend gave great credit to the late Administration for the efforts they had made to amend the system of military imprisonment. Last year, 39,700*l.* was taken for the express purpose of constructing military prisons. The sum of 40,000*l.* was now proposed under the same head; and the gallant Officer would, perhaps, inform the House, why there was no evidence of the first sum having been expended in that way in which it had been intended, and why this 40,000*l.* was again necessary? He (Mr. Goulburn) approved highly of the course which was to be taken in Canada. Last year the fears which prevailed that war might result from the dispute relative to the Oregon territory had required that every precaution should have been taken in providing for the safety of the North American colonies; but, by the good fortune of his noble Friend (Lord Aberdeen), this discussion had been amicably closed, and that expenditure which before it was incumbent on them to advise, could not this year be justified. He certainly regretted that, in respect to one work in Canada — the canal connecting Quebec with the upper provinces —there had been any economy practised. That canal, both in a military and commercial point of view, was a most important work, and its completion should not be neglected or postponed. The barracks at Jamaica should also have been built ere this; it was desirable that the troops in that colony should have that accommodation upon which the preservation of their health depended. He trusted the buildings would be completed without delay, and that no expense would be spared. The barracks at the Tower were publicly of less importance; but the troops required those improvements which had been suggested, and it was the imperative duty of the Government to make every exertion in caring for the comfort and amending the social condition of the soldier.

Colonel ANSON replied, with reference to the Administration not having thought it advisable to incur any further expenditure in trials and experiments in the Navy, that their objection was founded upon the supposition and belief that the late Government had left nothing in an inefficient state, and that consequently new experiments were not necessary. As to the 39,000*l.* which had been voted last year for military prisons, he begged to inform the right hon. Gentleman that that sum had been devoted to the object, and that, as the estimate for the works was 100,000*l.*, the 40,000*l.* which he now proposed to take would still be called for. The canal in Canada had not been deemed an undertaking of such paramount importance, and it had, therefore, for the present, been deferred, while they were engaged in the completion of other works. The sum taken for the barracks at Jamaica, would, he thought, be quite sufficient. Steps would be taken in regard to the barracks at the Tower as soon as possible.

Dr. BOWRING expressed his dissatisfaction with the mode in which the accounts were presented, and hoped that this would be the last occassion on which they would appear in such a form.

Mr. WILLIAMS thought the item in regard to the 9,000 men of the artillery required explanation.

Colonel ANSON stated, that those men were divided among 53 stations at home and 34 abroad. The proportion of the artillery to the regular army did not approach one-eighth the proportion which Napoleon approved, and the soldiers in that branch required a longer training than in others.

Vote, with several others, agreed to.

On a Vote of 58,986*l.* being proposed for the scientific branch of the Ordnance survey, Mr. SMOLLETT directed the attention of the House to the fact that grants formerly voted for the ordnance survey in Scotland had not been expended; and he wished to know what guarantee there was that the sum now proposed for that purpose would be expended on the survey in Scotland?

Colonel ANSON observed, that sums granted for the survey in Scotland had not been expended in that country, because the survey had, since that time, been confined either to England or Ireland. It was not considered right to divide the party engaged in the survey, as such subdivision would only have the effect of lessening the amount of work performed. The hon. Gentleman might rest assured, however, that the sums granted by the House for the survey in Scotland would be expended on that object.

Mr. SMOLLETT believed it would be found, that while the sum voted for Scotland was only 56,000*l.*, a part of that amount had not been actually expended on the Scotch survey, but returned to the Treasury.

Captain PECHELL wished, before this vote was agreed to, to inquire what had been done with respect to the Military Academy at Woolwich. It appeared from *The Times* newspaper, that a commission had been sitting to investigate the state of the Academy; but he was not aware whether any report had yet been made, or that anything had been done beyond building a wall and iron railing to keep the gentlemen cadets within bounds.

Colonel ANSON stated that no report had yet been made with respect to the Academy. He was quite aware that great interest was felt in this subject; but, at the same time, he would caution hon. Members not to believe all the stories they saw in newspapers. With regard to the particular circumstance mentioned by the hon. and gallant Gentleman, of an iron railing being put up, the fact was that it had been thought desirable to have a palisade to prevent people getting in, but it was not meant to prevent the cadets getting out. He had no doubt that any regulations that should be adopted would be found to be worthy of the education for a service than which none was more honourable.

Vote agreed to.

The sum of 168,532*l.* was voted for non-effective Ordnance services, military and civil, for the year.

The Committee having disposed of all the votes for the Ordnance, proceeded to the remaining

NAVY ESTIMATES.

On the first Vote,

Sir H. DOUGLAS said: I hope my gallant associates, hon. Members belonging to the profession whose affairs we are now discussing, will not deem me an interloper if I make a few observations on the present occasion. Whilst I greatly approve, and am satisfied with the general character of the estimates for the present year, and admire the ability with which they were brought forward, I must at the same time express great regret and disappointment that no vote was taken for a purpose which I think of the first importance, and even indispensable to the safety of the State in these times; and which I cannot doubt the Committee would have received by acclamation, and the country would learn with general approbation—I mean a vote to provide, in some form or other, for a reserve of seamen to be organized and kept always ready to form fighting crews, for a moderately extended establishment in case of any emergency or combination; thus to insure, that in the event of any aggression upon us, any sudden breach of the peace, the first operations might be telling and triumphant. The material of our Navy is in the most efficient condition. We could commission in a day twenty or thirty sail of the line, and innumerable smaller vessels. Our armament is the most perfect in the world; our ships and fleets commanded by excellent, and in many cases experienced officers; and those vessels might gradually be manned by abundance of British seaman, trained to the sea by our commercial marine, if we touch not the great principles of our navigation laws. But where are the men to man, promptly, those ships for the first emergency of a war?

The Secretary of the Admiralty stated most correctly that power is relative; and he referred accordingly to the prodigious exertions, and the liberal provision made by the French Chambers for the extension of the maritime and naval power of France; and I concur with that hon. Member in admiring and applauding the lofty policy of a country that permits no considerations of pecuniary economy to interfere with matters intimately connected with the maintenance of national safety and power. Now, Sir, France, exclusive of her seamen in her active ships, provides a large reserve of seamen, ships' crews, ready to man a very considerable number of additional ships of war, by means of the establishment of what she calls the "Equipages de Ligne," of which I hold in my hand the first "Ordonnance" for the organization of those establishments; and also the decrees by which they have been more recently increased in number and improved in composition. Let us see the increase in the number of seamen voted in the Marine Budget since 1830. In that year it was 12,963 men. In 1843, the number of seamen was 26,926. In 1845, it was 29,073, of whom 23,704 are to serve afloat; the remainder forming reserves of "Equipages de Ligne" in the ports. I think one hundred companies of the "Equipages de Ligne" were first established. The creation of others, the last being of fifty new companies, has since been decreed. A division, formed of a considerable number of these companies, is established at each of the five ports—Brest, Toulon, Rochefort, L'Orient, and Cherbourg; the two first being of the first class. Each division of the first class is commanded, in chief, by a "capitaine de vaisseau," assisted by a "capitaine de frégate," and a "capitaine de corvette," and five lieutenants. The divisions of the second class are commanded by a "capitaine de vaisseau," with a smaller staff. Each company is composed of two lieutenants, a certain number of "elèves," 10 petty officers, and 60 seamen, able, ordinary, and inferior, and 26 boys. Exclusive of these, companies of boys are established at Brest, consisting of 127 boys each; at Toulon, 157 each; at Cherbourg, 65 each. The companies of the "Equipages de Ligne" are always kept up to their establishment: first, by the "Inscription Maritime;" second, by the law of enlistment; third, by voluntary engagements. Then there is established in each of the principal naval arsenals, a "depôt," or gunnery establishment, for the training of naval gunners; of which there is always a considerable reserve kept ready; and there are two gunnery frigates, I believe of the second class, kept always afloat, to train the gunners so educated to sea practice. These vessels attend the squadrons of evolution, and are thus "depôts" and reserves of well-trained gunners. Then, exclusive of these establishments, there are extensive establishments of marine artillery and marines. When a vessel is brought forward for commission, the greater part of her crew is at once given her, by embarking a certain number of these permanent companies; the regulated quota of gunners is transferred to her, which, according to regulation, is such as to supply first and second captains of guns. The quota of marines is added; and the Prefect Maritime furnishes whatever additional hands may be required to complete the crews. This indicates, sufficiently, the indispensable necessity of our having some establishment of reserved seamen ready to form the fighting crews of a certain number of ships suddenly commissioned in case of any emergency. I feel convinced that this cannot have escaped the vigilance and the forethought of the late Admiralty, and that the noble person who presides over the naval affairs of England, and the able and distinguished officers who aid and counsel him, are alive to, and must have prepared some plan of this kind; and I earnestly hope that no considerations of pecuniary economy will deter Her Majesty's Government from speedily adopting some such plan. The hon. the Secretary of the Admiralty, adverting to the state of our coast defences, referred to the vast outlay making in France on works which we have too long neglected. I hold in my hand the *Projet de Loi*, preceded by a detailed *exposé*, to which the hon. Member the Secretary of the Admiralty adverted, of the motives and objects of the immense outlay, for which credit was taken by the vote of that Session, in addition to the sums voted in 1841, when, it appears, a great stimulus was given to those works. These amount to no less than 126,560,900 francs — about 4,800,000*l*. sterling thus appropriated. To Cherbourg, 15,500,000 francs; to L'Orient, 8,000,000 francs; to Rochefort, 3,000,000 francs; to Toulon, 14,300,000 francs; to Havre, 25,880,000 francs. Never has any nation made such stupendous exertions—such successful efforts in creating, or at least recreating, a naval power of the first order as France since 1815. Her commerce had been destroyed, her commercial marine ruined, her naval power destroyed; but, guided by a lofty policy, sacrificing nothing to her *docteurs économique*, she has restored her commerce, fostered her maritime resources, and reconstructed a formidable naval power. Not in the days of Rodney and De Grasse, Hughes and Suffren, was the Navy of France more powerful than it is now. No British statesman, of whatever party, can, or ought, to be unmindful of this. No British House of Commons, however economical in other respects, should affect to disregard this. Distant may the period be, when these tremendous powers are to be called into activity; but whilst we are determined to commit no act of aggression, let us not fail to provide effectually the best means of preserving peace, namely, to be well prepared for war; and that, if any act of aggression, any pregnant ambition be attempted against us, we may always be in a condition to make the first blow of a war the most effectual, and so herald a course of successes as signal as those which distinguished the commencement of the late war, and terminated with an ever memorable naval victory.

DR. BOWRING said, if the hon. and gallant Officer had read the official documents attentively, he must have known that there was no power in the French Navy to cope with ours. The gallant General talked of the French Navy as if it were equal with our own. Look at the finances of France; year after year there was a deficiency; the Government was involved in debt; its embarrassments were continually increasing; and the Minister did not dare to state to the Chambers the real condition of the finances. Look at the national credit of the two countries. Could any one contrast them without seeing that the condition of England was superior to that of France? We had no reason whatever to feel any sort of alarm at the state of the French Navy; and no one could pay a visit to any of the French ports without seeing the inferiority of their Navy, and the impossibility of its competing with ours.

SIR H. DOUGLAS: Has the hon. Member read the Prince de Joinville's pamphlet.

DR. BOWRING: I have, and it did not alter my opinion.

MR. W. WILLIAMS observed, that the jealousies and ill-will between France and England were produced by such observations as those upon the inferiority of the French Navy compared with ours.

SIR C. NAPIER concurred in every word that had fallen from the gallant Officer (Sir H. Douglas), not only as to the necessity of having a reserve, but of a proper alarm as to what was going on at the opposite side of the Channel; and perfectly disagreed with every word that had fallen from the hon. Member for Coventry. In making a few observations, he would be as short as possible. He could not help expressing the gratification he felt at the very able manner in which the Secretary of the Admiralty had brought forward the Navy Estimates, and the bold and manly way in which he stated that the system in the dockyards was carried on by jobbing. He wished, however, that the Admiralty, in making all their alterations, had authorized the hon. Gentleman to go one step farther, and that they had acted like the Board of Customs, which with the consent of the First Lord of the Treasury he supposed—for the head of the board could not be believed to do it of his own accord—had issued instructions prohibiting all clerks and *employés* from making use of private interest for their advancement, and warning them that so far from raising it would depress them in their situations. He wished the Admiralty had said the same to every officer in the fleet, from the admiral to the lieutenant, and told them to look to themselves for promotion, and not to the interest of Lord This or Lord That. He had read over their plan with a great deal of attention, and wished it every success; but the only certain mode of putting an end to jobbing would be by disfranchising the whole of the dockyards. That would put an end to it, but nothing else would. If all men were honest, the proposed plan would be very good. When the builder chose three men for promotion, it was very possible he might choose two Tories and one Whig, or two Whigs and one Tory; and if the Government of the day were Whig or Tory, it required no ghost to tell them which of the three would be chosen by the Admiralty. He could have wished that the superintendent of a dockyard were allowed to choose his men, as an admiral was allowed to select the sailors for his ship, and then he would look for the best men, and it would soon go to head-quarters who had abused his trust. If that could not be done, he hoped they would at least give the superintendent the power of discharging a man immediately he neglected his duty. It was said the Government did not get a fair day's work for a fair day's wages under the present system, and there were rumours abroad also that our ships were not built in a proper manner. The confusion and conflicting orders and authorities which now prevailed were such as to give him no hope, unless the whole of the present system were reviewed. As to the building of our vessels, his gallant Friend who brought forward the Estimates put a shot between wind and water into the Admiralty when he said they did not know their own mind; and he would certainly divide the House, unless he got an assurance that a different system would be carried out. The late Secretary of the Admiralty informed them that there were only seven iron steamers used as vessels of war. He expected the gallant Officer who was more particularly charged with the gunnery department of the Navy, would give him his opinion whether those vessels which had been built were fit for war or not. But in reference to the statement of the late Secretary, on looking to a paper with which he had been furnished by the Admiralty, he found a long list of vessels which had been built since 1843. The gallant Officer then read a list of a number of vessels, specifying the number and nature of the guns they carried. The hon. Gentleman said that nine vessels were built because it was difficult to obtain wood; but that was no reason why so many of them should be built. Those which had been built were found very difficult to manage on account of the way in which their compasses were affected, and the recruit brig had to be taken into dock after every cruise in order to rectify them. He left it to the House to judge whether it was right or proper for any Admiralty, he did not care who they were, to begin to build thirty-three iron vessels before they had fully tested their capabilities. He wished above all things to know if there was any intention on the part of the Board of Admiralty to revise the articles of war, and make them a little more humane than they were at present? Now was the time to change them, when public opinion was strong on the subject. He did not at all approve of their order the other day, however, which would act in a most improper manner, and create one mode of punishment ashore, and another in blue water, giving the men to believe there was one discipline in England, and another abroad. He wished also to impress on them the propriety of increasing the ship-carpenters, and giving them better pay. It was so small at present that it was extremely difficult to get good carpenters to enter the men-of-war. He repeated again his wish that his gallant Friend opposite would answer whether the vessel built of iron were fit for men-of-war; and whether when a shot was fired into them, it went through, as your finger would through a sheet of brown paper. In the experiments that had been made, the shot was only fired from a jingal. What would be the effect if it came from a 32-pounder? If his hon. Friend could not tell, he (Sir C. Napier) could. The vessel would go to the bottom like a stone.

CAPTAIN BERKELEY said, that with respect to the calibre of the guns to be used in the Navy, the present Board of Admiralty had carried out the views of the late board, in respect to the use of as few varying calibres as possible; and he hoped the amount of different calibres would remain as it was fixed at present. The gallant Officer had asked his opinion as to the capabilities of iron vessels to be used as ships of war; but he would rather that the gallant Officer would call for the opinions of the board than that of an individual. He was sorry this point had been touched upon, because as the present Secretary to the Admiralty said, that the present board did not build, and did not intend to build, any more iron steamers, except for such purposes as packets, he had hoped that that would have been a sufficient indication of the opinion of the board on the subject. It had been said, that the firing at the *Ruby* by the *Excellent* was an absurd experiment; but he wished that experiment had been before made so many iron vessels had been ordered, for he was bound to say that the experiment proved that iron vessels were not fit for the purposes of war. In this he was borne out by the gallant Officer who made the experiment; and also by what happened in the River Plate, where the admiral, who commanded, thought the circumstance so extraordinary, that he sent home the shot which passed through the *Lizard*, making on one side a hole as in a sheet of brown paper, and a star on the other, so that it was hardly possible to stop it by a plug. By the trial on the *Ruby*, it appeared that the greater the thickness of the iron, the greater the injury. Iron butts were made of great thickness, and shots fired at them, and these shots had greater effect on them than shots fired at rotten wood would have on that material.

MR. CORRY defended the appointments made by the late Board of Admiralty in the dockyards, all the higher stations having been conferred on supporters of the present Government. He would next refer to the charge made by the hon. and gallant Admiral (Sir C. Napier) against the late Board of Admiralty, with reference to the building of iron ships of war. The question might be divided into two parts: the one a question of strength, and the other a question of durability. As to the question of strength, he referred to a letter of Lieutenant Hoskens, who stated, that if the *Great Britain* steam vessel had been built of wood, she would have broken up—if not before—on the 20th of November, when the tide rose to an extent much higher than usual. The next question was as to the durability of iron vessels. On this point he had some evidence which he should read to the House. The first iron steam vessel was built in 1821. She was built and commanded by the present Sir Charles Napier, and had been for a considerable time in use. In 1833, the Dublin Company commenced the building of iron vessels, and from their experience of them they had no idea of returning to wooden vessels; and the great majority of the steam vessels engaged in trade in that country are now built of iron. When the hon. and gallant Admiral (Sir Charles Napier) taunted them with not making experiments before building more vessels, he begged to inform him that they did make experiments at Woolwich, which were attended by a late Lord of the Admiralty, the hon. and gallant Member for Ripon (Sir George Cockburn), who had as many hard knocks as many of them, and it was his opinion that iron vessels were decidedly fitted for war. Now, as to the result of the experiment with regard to the *Ruby*, he would ask what must necessarily be the consequences when they took a ship of that kind, put her in water, and fired away at her; and having done that, was it fair then to say that an iron vessel was not fitted for war because she did not resist the shots which were directed against her? He referred to what had occurred with respect to the *Swiftsure* 74-gun ship, to show that a wooden vessel was equally vulnerable as an iron vessel; and could it for that reason be said that wood was an unfit material for the building of ships? The damage done to the *Lizard* had been adverted to; but a vessel of such light scantling must necessarily suffer, and it would appear that in similar circumstances wooden vessels had likewise suffered. He thought the late Board of Admiralty was quite justified in what they had done, and he conceived that all the experiments tended to prove that iron was a fit material for vessels built for the purposes of war; and even if they were not fitted for the purposes of war, they were fitted for the conveyance of troops.

CAPTAIN HARRIS said, as he had reason to suppose that the expense of giving additional pay to the petty officers of the Navy would not amount to more than 30,000*l.* or 40,000*l.*, he hoped that some proposal of this nature would be laid upon the Table as a supplementary estimate. He thought it of great importance that a measure of this kind should be brought forward *pari passu* with the measures relating to secondary punishments, and the reduction of corporal punishments. He would also urge upon the Board of Admiralty the importance of adopting means to give a more practical education to the naval cadets. He would suggest that one of the old jackass frigates should be fitted out, and placed under the command of a smart officer with a crew of seventy or eighty able seamen, on board which 100 cadets should serve, and learn to steer, heave the lead, and do their duty aloft, together with the rigging, fitting, and handling a ship, and that as many mates as convenient should serve in rotation to learn the pilotage of the Channel, and to steer a ship by the marks and the chart.

CAPTAIN PECHELL said, that on Friday night many observations were made, to which answers were expected; but the Lords of the Admiralty had not given any. He would be glad to do away with the jobbing in the dockyards; but as he wished to hear the right hon. Baronet (the Member for Dorchester), he trusted that an opportunity for discussion would be given on a future occasion.

SIR J. GRAHAM said, that after the observations of the gallant Admiral (Sir C. Napier), and of the Secretary of the Admiralty, he was afraid that any observations of his own would be of little weight, since his experience at the Admiralty was now of ancient date, and the practice then was different from what it was now. It was admitted on all hands that the patronage of the Board was now in the hands of the Secretary; but when he was at the Admiralty it was in the First Lord, with the advice of the Board, and the Secretary had only a somewhat peculiar branch of the Admiralty—the clerical patronage in the appointment of chaplains. He was quite astonished to hear, that in making the appointments, it was an ordinary question to ask what were the political opinions of the master shipwrights or of the foreman of the works. He was himself in office only for the two years consequent upon the great election after the Reform Act; and, before he left office, he had seen the bad effects of giving the right of representation to Woolwich, and then to Chatham, then to Devonport, and then by attaching to the Pembroke district of boroughs the dockyard of Pembroke, and also by giving the full franchise to Portsmouth, which before was a close corporation; and though he had taken no notice of the political opinions of the officers in the yard, nor inquired how they exercised their elective franchise, yet he must say that, if this question were constantly put by different Boards of Admiralty, it would be a great impediment to the efficiency of the yard. The possession of the elective franchise was an important question as connected with the public service. The expenditure in the yards was enormous, and nothing could be a greater evil than the prevalence of this system. The spirit of the suggestions laid upon the Table by the present Secretary of the Admiralty did him the highest honour; and they were directed to the remedy of this evil. He was inclined to agree with the gallant Member for Marylebone as to the propriety of making promotions in the naval services and in the dockyards by merit; and he had been advised by Admiral Sir Thomas Hardy, and by Admiral Dundas, to proceed on the principle of concentrating the responsibility, and thus increasing the efficiency. He had sought to give the right of rating and disrating in the master of the yard as every captain had in a ship, which concentrated all the power and responsibility, and ensured efficiency; but still he had great doubt whether there was not much force in what the gallant Member for Marylebone said; and it would be a grave question whether they must not at last—though he was opposed to disqualification—with a view to the efficiency of the public service, come to the same regulation with respect to the dockyards as existed in regard to other situations under the Government. The officers and men employed in the coast guard were connected with the collection of the revenue, and were disqualified from voting. The analogy between them and persons employed in the dockyards was very close; and though disqualification was invidious, it would be a question whether the elective franchise should not be confined to the inhabitants of the towns; it was a grave question to be decided on public grounds. Still, the plan of the Secretary of the Admiralty was honest and fair, and he was willing to give it a trial.

Mr. WARD expressed his deep gratification at the manner in which the right hon. Baronet had been pleased to speak of the plan of the Admiralty. He trusted that when the officers saw the general feeling on the subject, and, more, saw that an honest plan was put before them, they would endeavour to carry it fairly into effect, especially when they were made aware that if this plan should fail, the alternative must be disfranchisement. Should the scheme fail, he trusted the House would not hesitate to concur in applying the more extensive remedy to which the right hon. Baronet had alluded.

Sir J. GRAHAM doubted the policy of appointing four measurers to each dockyard. If the measurement were effectual, there would be required a much greater number of officers for this purpose.

Mr. WARD said, it was expected the services of these officers, who would have assistants, would be effectual for the purposes for which they were designed.

Mr. F. T. BARING would assure his hon. Friend the Secretary of the Admiralty that he must have his eyes and ears open, and, after all, unless he had an opportunity of checking the officers themselves, he would only remove the impression, now unfavourable to the Admiralty, to them. He thought the disfranchisement of the dockyards objectionable, and would recommend, as the most effectual remedy for the evils complained of, that the Treasury should listen very unwillingly to all applications for influencing the patronage of dockyards.

Several Votes were agreed to.

House resumed. Resolutions to be reported.

House adjourned at half-past One o'clock.

HOUSE OF LORDS,

Monday, March 8, 1847.

Minutes.] *Reported.*—Custody of Offenders.
3ª Labouring Poor (Ireland.)
Petitions Presented. By Lord Brougham, from Glasgow, for the Establishment of a Comprehensive and Effectual System of Assessment for the Maintenance of the Poor in Ireland, and for the Relief of Great Britain from the present unprecedented influx of Paupers from Ireland; and from Kingston-upon-Hull, for Amendment of the Law respecting Juvenile Offenders.—From Bridport, for the Abolition of the Punishment of Death in all cases.

POOR LAW (IRELAND)

Lord BROUGHAM presented a petition

from the Lord Provost, the Magistrates, and the Town Council—the corporation in fact—of Glasgow, complaining of the distressing effects produced by the great influx of Irish poor into that city, and praying the enactment of a Poor Law for Ireland. He (Lord Brougham) held in his hand a communication from the magistrates of Liverpool on a similar subject, in which it was stated that the influx of these miserable persons from Ireland on three following days was as follows:—Wednesday, 1778; Thursday, 1681; Friday, 1636. That was to say, an average of from 1,600 to 1,700 daily. The consequence of this influx of distress was disease; many cases of typhus fever had broken out in the borough, and among others who died of it was the relieving officer, after an illness of only forty-eight hours. He had also received communications from respectable persons in Ireland, whose names he thought it prudent to conceal at that moment, in which complaint was made of the great misery suffered by the poor in that country, and the utterly inadequate assistance which they had received from those who ought to be the first to afford it. While England was under the pressure of the Queen's Letter—the operation of Her Majesty's Missive—and under the instigation of those eloquent men who preached charity sermons in every place—also acting, he was bound to say, on the impulse of the benevolent feelings of her inhabitants, many of whom gave much more than they were able, perhaps, to afford—he was very sorry to say that the same feelings did not prevail in all parts of the empire. In some districts of one part of the empire—he did not say in all—they did not seem to prevail. In one district, for instance, where the non-resident proprietors had a rental of 25,587*l.*, upon the most pressing appeals that could be made to them, they only contributed 208*l.*, or 2*d.* in the pound on the rental. There was another case, in the union in the county of Cork, where the population was 7,000 Catholics, and five Protestant families with four Protestant rectors. A dignitary of the Church in this union, and drawing 450*l.* a year from it, was applied to, and he sent a donation of 1*l.* The committee, no doubt "thankful for small mercies," were very much obliged to him; and, small as it was, it was something better than 2*d.* in the pound; but still, thinking that it might be a mistake, the secretary wrote to that rev. gentleman on the subject. It was, however, no mistake—he would give no more; although the district from which he derived his annual 450*l.* was one that abounded in paupers. There was another parish with a population of 3,000 inhabitants, of which three-fourths were paupers employed on the public works, where all the landlords were absentees, with the exception of one who farmed his own land, and who had evicted from his estates, not two years ago, nearly 400 persons. From none of these landlords were the committee able to extract anything but 20*l.* from one who owned land in the parish of the value of 1,200*l.* a year. Another of these same landlords, a wealthy barrister of Dublin, drawing 500*l.* a year from the parish, gave no answer whatever to an application made to him by the relief committee, although a great number of paupers from his property were supported on the public works. In an adjoining parish, a landlord with a rental of 2,000*l.* a year gave nothing, though a great many paupers had been very lately made by the eviction of 400 persons, in the process of what was called clearing his estate. In a third parish, a barrister who had purchased an estate for 7,000*l.*, gave nothing. Not alone that, but he would not grant a site for a school-house, for the erection of which 130*l.* had been bequeathed some eight years since, until very lately he had leased them a quarter of an acre of land at 6*l.* per annum. Very charitable that! His wife, who was the daughter of a general officer, not satisfied with the price her husband had obtained for the quarter of an acre of land, insisted upon it, as one of the conditions of granting that site, that 20*l.* of the 130*l.* should be paid as a sort of fine to herself, that she might therewith establish a school for the education of the children of her own tenants, in her own manner. Every one had, he admitted, a clear and undoubted right to subscribe to the relief of the poor or not, as they chose; and no person had a right to complain of them if they did not. One exception there was, however—namely, when ten millions were given by this country for the support of the Irish poor, and large sums besides sent to Ireland in private charity, the people of England had a right to expect that those who assisted to create the pauperism of their own country should aid in its support. He had another statement to make relating to a place called Ballina, in respect to which what he said the other night had so excited the indignation of his noble Friend. He had endeavoured, on that occasion, to connect the poverty which inundated the ports of England with the legal processes now carried on in that country; and he was told he knew nothing about it. A gentleman who was engaged in the matter, and who knew everything about it, informed him that in the quarter-sessions held at Ballina, in the barony of Tyrawley and the county of Mayo, on the 11th January last, there were set down for trial from 1,500 to 2,000 civil-bill processes, at the suit of from 16 to 18 landlords, for rent ending and due on the 1st of the November preceding, for the use and occupation of tenants to the same period, and for the recovery of conacre agreements. In Ireland the landlords had the power of levying a distress upon the goods and chattels of the tenant for rent; and such processes as those before the barrister, which involved personal attachment, were perfectly novel in that country. In ordinary years, the landlords did not collect their rents through the medium of barristers' courts; neither did they demand the November rent until the following March. This year the tenants had no goods or chattels—the moment was therefore favourable to the landlords for frightening the poor people, and effecting the clearance of their estates; therefore they insisted on proceeding in the assistant barristers' courts against them, and obtaining a decree for attaching their persons. Who could doubt that these processes had connexion with the mass of pauperism from Ireland, thrown upon the shores of England, and incumbering Liverpool and other seaport towns? His informant went on to say—

> "The people, already distracted and panic-struck by the loss of their potato crop, and fearing the land would not in future produce a similar crop, seeing also the impossibility of settling peaceably with landlords, who were determined to have the pound of flesh, yielded to their fates amidst the wailings and weepings of their starving and wretched families. If they even held out, they had neither money nor seed to till the land, and they feared that holding out, the landlords might endeavour to prevent their getting on the public works, now become their last refuge for a lingering existence. Many of the people fled before the processes were entered for trial, and more of them subsequently gave up their holdings. Thus the calculations of the landlords that these processes would have all the efficacy of ejectments were realised, and their object of clearing their lands of what they term a surplus population is, with cruel ingenuity, being accomplished; and to what extent may be judged by the statement of the Rev. Mr. Nary, parish priest of Lucken, in the barony of Tyrawley, and county of Mayo. He says, that in the month of September last he had in his parish 1,000 families; that from the combined causes of flight, starvation, and pestilence, he has now but 500 families: that of the latter number not more than 30 families have sufficient means to enable them to make a sowing; and that from the operation of the same causes —namely, starvation, pestilence, and flight, he is confident that of the 1,000 families, or 5,500 souls, in his parish last September, there won't remain on the 1st of August next more than 200 souls. I have already stated that there were from 1,500 to 2,000 of these processes entered for trial. There must, however, be double that number issued against the people; for such of them that fled or surrendered to their landlords' wishes previous to the first day of the sessions—that is, the 11th of January—against all these no processes were entered for trial. So that the total number of processes issued must be 4,000, which number involved the fate of 22,000 human beings. The people, thus frightened and hunted from their holdings like beasts from the field, will, for the most part, be shortly in eternity. It rarely happens that more than one of a family gets on the public works, and the work done by one half-starved man will not produce more than 8*d.* or 10*d.* per day. At the present price of provisions, this would be little enough, and too little, for one man; yet he must divide it with his perishing family. I leave you to judge whether this state of things will not further the work of death fast enough. Even the soup-kitchens, which give some temporary relief to several persons, hurry others to their coffinless graves, dysentery prevailing to a great extent here; and those having it, taking soup and glad to get it, go off faster than others."

He was not at liberty to mention the name of his informant; but a connexion of his had called upon him with that letter, and said that he knew the writer perfectly. He ought to mention that he had received another account of a most grievous nature from Skibbereen, also containing a statement of great abuses in that district. He was informed that great sums of money had been poured into Skibbereen, and persons had flocked there from other localities to benefit from it, and that not merely poor persons, but persons who had no claim whatever to relief on the ground of destitution. All this made good the alarm he had expressed from the first, and his assertion that they could not carry on a system of this kind without great abuses, unless they were not only omniscient, but omnipresent and omnipotent also. It thus appeared that some persons were thriving, while others were distressed, which perhaps accounted for the contradictory statements they heard on these subjects. It reminded him of Horne Tooke's reply to Mr. Canning, when he said, "He did not perceive that the vessel of the State was sinking." "Very likely not," said Mr. Tooke, "for you are rising all the time, and, therefore, you do not perceive it." A correspondent from Sligo had written to him to say that in his previous statements to their Lordships he had much understated the facts (which of course he had wished to do), respecting the relatives of magistrates and clergymen being employed at the public works. His correspondent mentioned a clergyman, two of whose sons were paid clerks. He stated also that four sons of Mr. J. Ormsby, a magistrate, and grand juror of the district, had seven paid situations amongst them. The eldest son was a barony constable, an officer whose duty it was to collect the county cess.

The Earl of DEVON: That appointment is under the Grand Jury Cess Act.

Lord BROUGHAM: He is also a paid clerk under the Board of Works. The second son is stated to be a contractor, and also a county constable; the third son, to be private secretary to Captain Gilbert, of the Board of Works; and the fourth son, to hold some subordinate situation in the same department. It is stated, also, that the eldest son of a gentleman of great wealth, and the heir to his property, is a paid clerk under the Board of Works; and, in fact, that there is scarcely a person employed in a lucrative situation who is unconnected with the landowners of the district. He admitted these statements were more showy than substantial; but they were useful, and he mentioned them to show that his previous statements were not without foundation.

The Earl of DEVON: Securities being required, they must take responsible persons.

Lord BROUGHAM: Yes, yes. But these things must come to an end; and his fear was that they would not come to an end this year or the next; and that if they did not look closely after the distribution of the public money, and prevent its being turned into wrong channels, they would never come to an end at all. The ten millions sent this year would only make them more anxious for ten millions more; and thus it would go on until it could go no further. He must say also that there appeared to be an extraordinary degree of supineness in the districts from which these accounts proceeded, and that the inhabitants did not appear to exert themselves in the way in which they would exert themselves under similar circumstances in any part of England or Scotland. His fear, therefore, was, that if we went on showing these people that while they did nothing we would do something, and that if they neglected their duty we would do it for them—we should only be encouraging them to do nothing, while we were doing, perhaps, more than we ought to do.

The Earl of MOUNTCASHEL said, he thought the noble and learned Lord was not justified in making such statements upon anonymous authority, since it must be manifest the degree of credit to be attached to them depended solely upon the credibility of the noble and learned Lord's correspondents. As to the statement that one individual in the county of Cork had turned 400 persons off his estates, he must say he was not satisfied that such an occurrence had taken place; for he was convinced, unless it occurred very recently, that he must have heard of it. With respect to the statement of the small sum of money subscribed by the Irish landlords, all he knew was, that in those parts of the county of Cork he was acquainted with, the landlords had come forward most generously, and, though much impoverished themselves for want of their rents, had done all in their power to relieve their suffering dependants. He thought also that where it was otherwise, it was mainly occasioned by the landlords being deeply indebted, and obliged to pay the little money they did receive from their lands to satisfy the bonds and mortgages of their creditors.

Lord BROUGHAM said, he could not satisfy the noble Lord. When he gave neither the names of persons, parish, nor correspondent, the noble Lord complained that he suppressed the names; but the noble Lord only complained the more when he gave the names of persons and parish. Now in the latter case, where he had given the names of persons and parish, he would give the name of his correspondent. The gentleman from whom he had received his information respecting the parties whose sons were employed upon the public works, was Mr. Edward Howe Verdon, proprietor of the *Sligo Champion*, who had made similar statements publicly in his paper, and who now had privately given to him more detailed information. In the other cases, however, as he had not given the name of a single person, he should withhold the name of the rev. gentleman who was his correspondent.

The Marquess of LONDONDERRY said, he thought the noble and learned Lord was not justified in making such attacks upon the Irish landlords, especially since all the inquiries that had been made respecting former statements of a similar character, proved that the landlords were not so much to blame as had been represented. As to the statement that their subscriptions were unworthy of their large possessions, the noble and learned Lord did not seem to know the situation in which these persons were. In addition to the arrangements they had to make for the well-being of their estates, every charge upon the estates had to be paid first out of their rents. They must be just before they were generous. He had no objection to state how the case stood respecting himself, and he knew that many landlords were in a similar predicament. He and the landowners in the county of Down had determined not to hold presentment sessions, or to apply to the Government for loans of money, but to employ the poor of the district on their own property, and thus save them from destitution. They had thus saved that part from the calamities that were afflicting other parts of the country; and he therefore thought it unjustifiable that the noble Lord should run them down with other Irish landlords without distinction. Then, again, there was a great influx of population into the county of Down from other parts, especially into the towns, which he admitted they had endeavoured to discourage, for he thought, while they were doing all they could to save their own poor from starvation, they ought not to be burdened with the poor of other districts, which were equally able to support them. It was all very well for the noble and learned Lord to make his eloquent statements in their Lordships' House; but the noble and learned Lord should rather move for a Select Committee to inquire into the conduct of the Irish landlords, if he believed the various rumours prevalent respecting it. The noble and learned Lord, perhaps, had been reading *The Times* newspaper; but the statements on the subject which had appeared in *The Times* were most fallacious. The most monstrous statements that had ever been made, had appeared in that journal, having reference to the county Antrim, in which it had been said that the tenants generally had actually stated to their landlords, that unless their rents were immediately reduced, they were determined not to pay any rents. He had been in Ireland at the time that statement had appeared, and, in order to ascertain if it were true, he had applied to Lord O'Neil, who was a constant resident in Ireland; and that noble Lord, as well as other resident gentlemen, had informed him—had all of them informed him—that they had never heard one word of the kind from the tenants. He then wrote to *The Times*, to know on what grounds they had made that declaration; but they did not state the grounds to him. He must say now, that the noble and learned Lord was going upon the very same principle, and was running down the Irish landlords in a manner which did little good to the country, and very little credit to himself.

Lord BROUGHAM said, that a more extraordinary charge than that which the noble and gallant Marquess had just preferred against him, he had never heard, even in these times of exaggerated charges. He denied that he had made a general attack upon the Irish landlords, or that he was running them down. He had begun the statement he had made, by saying that what it referred to was an exception to the conduct of the landlords; and he had also said, that his observations did not apply at all to the noble and gallant Marquess; for he knew that he had contributed to the relief of the distress of his fellow-countrymen.

JUVENILE OFFENDERS.

Lord BROUGHAM presented a petition from the mayor, aldermen, and burgesses of Kingston-upon-Hull, in common council assembled, confirming the statement made from Liverpool, respecting the administration of the criminal law, particularly as regarded juvenile offenders. The noble and learned Lord went on to say, that he was about to move the appointment of a Select Committee to examine into (which was the prayer of the petition) the subject of the criminal law, particularly as regarded young offenders. The members of the profession to which he had the honour to belong, viewed the proposed changes of the Government with alarm, in consequence of its being proposed that those changes would be effected without the intervention of Parliament. But however lengthened an experiment the Government might make on the matter, they must ultimately apply to Parliament, if they would carry their proposed system permanently into effect.

Lord STANLEY was not quite certain that the noble and learned Lord had interpreted aright the declaration of the noble Lord opposite. He (Lord Stanley) had understood from the noble Earl (Earl Grey), that it was the intention of Her Majesty's Government at once to carry into effect the altered views they entertained with respect to transportation or non-transportation for a period of two years; and that it was not until the end of that period of experiment they had any intention of introducing an Act of Parliament on the subject. Whatever opinions he might have respecting the punishment of transportation in the abstract, he certainly entertained a more favourable opinion respecting that punishment than his noble and learned Friend. But there was another point not to be lost sight of by their Lordships, and that was, the mode of making the proposed alteration. It was very well to say it was only an experiment; but it was an experiment of very great magnitude; and he thought it ought not to be sanctioned without having the opinion and advice of that and the other House of Parliament taken upon it. What was it that the noble Lord proposed to do? It was, by the exercise of the prerogative of the Crown prospectively, without reference to any particular or individual case, to commute every sentence of transportation which in any of the courts of law should be passed during the next two years. That was a very large and important change; but it was not only that. It was also an abuse of one of the most valuable of the prerogatives of the Crown—the prerogative of mercy. It was of the utmost importance that the Crown should continue to exercise that prerogative without its being in anywise endangered or impaired. But in his opinion, the proposed alterations would seriously endanger that prerogative; for it was not proposed that it should be applied under the advice of the Secretary of State in mitigation of punishment, and with reference to the particular merits of each individual case, and upon a specific examination of its details; but it was proposed that for two years the judges should continue to pass sentences of transportation, which they were bound to pass in all cases of a certain description, and that the judges, juries, witnesses, and prisoners—in a word, all the parties concerned—were to know beforehand that the Crown intended to interfere by a wholesale exercise of the prerogative, to prevent the sentence being carried into effect. This wholesale application of the prerogative appeared to him calculated to injure the prerogative. He did not intend to give notice of any Motion, but hoped Her Majesty's Government would reconsider their opinion, and if only for two years they intended to discontinue the punishment of transportation, introduce into Parliament a Bill which would enable both Houses to discuss the merits of the scheme, so that the law should bear upon it the sanction of the suspension of that punishment, and embody a declaration of the sentence which judges should have power to pronounce in lieu of transportation. That course of proceeding would enable Parliament to pronounce a deliberate opinion on the subject; it would maintain the exercise of the prerogative of mercy on a consideration of the individual circumstances of each case; and would not involve a prospective and wholesale alteration of the law, under the plea and pretext of applying the prerogative of the Crown. He hoped to hear that Her Majesty's Government would not be indisposed to proceed by introducing a Bill.

EARL GREY, in answer to the noble Lord, begged to remind him that the law as it now stood, and had stood for a considerable number of years, gave the Crown the power of deciding how, not merely certain individuals, but certain classes of offenders sentenced to transportation, should be disposed of. That power had continued unchanged up to the year 1843, when his noble Friend (Lord Stanley) himself had, without any appeal to Parliament, entirely altered the practice, according to which, in the ordinary course, no criminal sentenced to seven years' transportation had ever been actually transported. That regulation had been habitually practised under all successive Administrations, except where there were some particular circumstances, whether of aggravation or otherwise, connected with a case. The criminals were not transported to Australia, but, on the contrary, were punished by confinement on board the hulks at home or at Bermuda. His noble Friend, when he became Secretary of State for the Colonies, had, in conjunction with Sir J. Graham, then Secretary of State for the Home Department, altered that practice, as he (Earl Grey) had already mentioned; and it had been in consequence determined, that a very large number of convicts should be sent to Van Diemen's Land and Norfolk Island, the influx of whom had been attended with the fearful and dreadful consequences they had seen. He had stated it had been the practice that the Crown should define, not merely what individuals, but what classes of individuals, sentenced to transportation, should be actually transported. Now, it would be extremely inconvenient—to use a word that understated the fact — at the present moment to propose any law altering the punishment of transportation; and for this reason, that though, as he had said, transportation, as hitherto administered, was a bad punishment; yet — and so far he agreed with his noble Friend opposite—there was a real advantage connected with it; and that was, that after what was properly the most penal part of the sentence was over, the offender was not turned loose upon this country without any means of obtaining for himself an honest maintenance, but was, on the contrary, discharged from custody, in a country where, owing to the peculiar circumstances of that country, he had the means of honestly maintaining himself. Now, in order to retain that advantage, it was necessary that the sentence of transportation should continue to be pronounced; because it was under the power given by that sentence that it was contemplated that persons, after they had been punished, should be transferred to the colonies. If that sentence were not hanging over them, there would be no means of carrying into effect that which he considered a very material part of the change of system. He could not help thinking that the real magnitude of the change was greatly overrated. It was not an abolition of transportation. Transportation would continue to be the sentence pronounced; and, more than that, the punishment actually inflicted would continue to be substantially and precisely the same as before, save only that the place where one part of the sentence should be carried out would be changed. He had stated, on a former evening, that the essential change was made in consequence of the report of the House of Commons of 1838, when the old system was essentially given up, and the punishment resolved itself into this—that the person transported was subjected to penal labour for a time in the colonies, and then received a conditional pardon, whereby the person might enjoy all the privileges of a freeman, except that of returning to his native country. Under the system the Government now proposed, that state of things would continue to exist, with the difference only that the penal labour, which was now substantially the penal part of the sentence, would be inflicted in this country, and under the immediate superintendence of Government, which could observe and check, on the spot, any abuses that might take place; and after that penal labour was at an end the criminal would be discharged as now, not in this country, but in Australia, and would be subjected to precisely the same restraints as now, and would be discharged under conditions of pardon which would preserve precisely the same power over him that was at present enjoyed by the Executive Government. He ventured to say, then, that that was not so substantial a change of system as to make it necessary that an Act of Parliament should be applied for. No man could doubt that, by the law as it now stood, it was perfectly competent for Her Majesty to direct that a man should be transported to Van Diemen's Land at any period of his sentence. In point of fact, that had been the recommendation of the Committee of 1838; and in the majority of cases, there should be part of the penal labour performed in this country before the man was actually sent out to Australia. That power it was intended to exercise as it had hitherto been exercised; and he thought there would be this further inconvenience in proposing any immediate change in the law, besides that which he had adverted to, namely, that in making such a change it would be necessary to define in a matter which it was extremely difficult to define, what were the circumstances under which eventually the criminal should be removed to Australia. He thought that the sentence of transportation was now one to which the people were accustomed in this country; that it would be far more convenient that that sentence should be pronounced as heretofore, and should involve eventual expatriation as heretofore; but, in the first instance, they should not continue to send men for the purpose of being subjected to penal labour to a colony where experience had proved that we could not watch over that portion of the punishment with the care and effect which were so highly desirable in such cases.

Lord BROUGHAM utterly denied that the Crown had any such power as the noble Earl had stated. The law was this: Supposing an Act of Parliament denounced the punishment of transportation for an offence, the judge was bound to pass that sentence. And that sentence being pronounced—say that it was transportation for twenty-one years—then he denied the power of the Crown to imprison the convict for twenty years, and to send him out for the remaining twelve months, to endure the process of what was called—not transportation, but "expatriation"—a totally new phrase, which the laws of this country knew nothing about, which was not to be found in any of our books, and had never been heard of here. The same argument would apply with equal force, whether the sentence of transportation was for fourteen years or for ten. His noble and learned Friend (Lord Lyndhurst) and himself had looked into the Act 5 George IV., cap. 83, and it was clear that it was not meant to apply to a general system—that it was not intended to abolish transportation—but that it gave the Crown power, when sentence of transportation was passed, to deal with the convicts by sending them to prisons in this country. This was meant in particular cases, and applied to particular classes, and it was not meant to authorize the Crown all at once to abolish transportation and convert it into imprisonment. No man doubted the power of the Crown to pardon for capital offences, high treason, murder, and capital felonies of all descriptions. But would it or would it not be legal to abolish capital punishments, not by Act of Parliament, but by an exercise of the prerogative of mercy? Why, it would be monstrous to conceive such a thing. He had a petition in his hand, addressed to their Lordships from the borough of Bridport, for the abolition of capital punishment. But, according to this argument, they had mistaken their way. They ought not to have come to Parliament, but have petitioned the Crown to repeal these punishments. But no man dreamt of that; it was legal, perfectly legal, but highly unconstitutional.

LORD CAMPBELL: It was highly proper that the Legislature should have the opportunity of discussing this most important subject; and the plan of his noble Friend (Earl Grey) was fully discussed by the two noble Lords opposite (Lords Stanley and Brougham) when on a former evening it was announced to the House. But he must avow his opinion that all his noble Friend proposed to do might be done by way of experiment without any Act of Parliament; though he admitted that it was highly proper that communication should be made to the Houses of Parliament of that which was contemplated by the Crown. Now, what was the meaning of passing a sentence of transportation? If the execution of the sentence of transportation were in all cases imperative upon the Crown, then the executive officers of the Crown were guilty of a violation of the law if in any case where transportation was ordered by a court of justice, the prisoner was not immediately transported. If that were the case, the noble Lord opposite (Lord Stanley) when he was at the head of the Colonial Department had frequently violated the law; and all his predecessors for the last century had violated the law, because no such construction had ever been put upon those various Acts of Parliament. The meaning of transportation must be taken to be this—that the Crown had power to transport, if it should be thought advisable that that sentence should be carried into effect; but that within the period for which transportation was ordered, the Crown might retain the prisoner in this country, in gaol, and employ him at hard labour for the period of the sentence of transportation. As to transportation for seven years, this practice was notorious, not with regard to individuals, but with regard to a class. It had been laid down by successive Secretaries of State, that they would not in any instance carry the sentence of transportation into effect. That was the general rule; subject certainly to exceptions. And what was done? They were retained in prison in this country; sent to the hulks, and kept to hard labour. But had it ever been said that there was any violation of the law in the course which had thus been adopted? There were the Parkhurst boys—they were all of the class who were sentenced to transportation for seven years; but, instead of being transported, they were sent to Parkhurst. All stood upon the same footing; and if a felon transported for seven years might be kept in the hulks, so also a person who had been ordered for transportation for fourteen or twenty-one years, or for life, might be kept in this country.

LORD ASHBURTON said, it was highly desirable that the Crown should have the power of mitigating punishments by the exercise of the Royal prerogative; but it appeared to him altogether absurd to be continually condemning criminals to punishment which the Crown had predetermined in no case to execute. He wished to know if a criminal sentenced to transportation had not a right to claim that the sentence passed, and no other, should be carried into execution?

LORD CAMPBELL was of opinion that a criminal had no such right, and that if, being sentenced to seven years' transportation, he were to apply to the Court of

Queen's Bench for a *mandamus* to the Secretary of State immediately to send him to a penal colony, the writ would be refused. So, if the sentence of death were passed, the criminal could not insist upon its being carried into execution. The sentence only gave the Executive Government the power in the one case to deprive the criminal of his life, and in the other to transport him if they should see fit.

LORD BROUGHAM hoped he also might be allowed to ask the noble and learned Lord a question. An option was sometimes given to courts of justice to transport or to imprison for a similar period—which, by the by, looked as if the Legislature considered that there was a radical difference between the two; an Act passed for punishing perjury with either transportation or imprisonment for any period, even for life; suppose a person sentenced under that Act to transportation for life, would the noble and learned Lord say it would be legal, or at least that it could happen, that such a person should be shut up in a prison for the term of his natural life?

LORD CAMPBELL was always delighted if he could do anything to oblige his noble and learned Friend, and would give his opinion without fee. The question was one of legality or illegality, and he had not the slightest hesitation in saying that there would be no breach of the law whatever, if the criminal were dealt with in the way mentioned by the noble and learned Lord in his question. If an option were given to the court, either to sentence to imprisonment or transportation, and the court pronounced a sentence of transportation, then the court gave to the Executive Government the power to transport, but did not impose upon them the obligation to transport; and if they thought fit to retain the criminal in gaol, and not to transport, there would be no violation of the law.

LORD BROUGHAM did not mean to confine himself to instances where an option was given to the court; suppose, as in many cases, that there was no option, and that the sentence of the law and the sentence of the judge was transportation for life—would it be legal, under colour of executing that sentence, to imprison for life? Mortal man could not discover anything more absurd and ridiculous than to keep pronouncing sentences which it was known would in no case be carried into execution. But the noble Lord (Lord Ashburton), in noticing that anomaly, had understated the inconsistency; the sentences pronounced were not to be carried into effect while the noble Earl (Earl Grey) continued Secretary of State, and the noble Marquess (the Marquess of Lansdowne) President of the Council; but they might go out of office, or they might change their opinion next year, and then the law would be at sea again. If it was true which was said, *Misera est servitus ubi jus vagum aut incognitum*, we were certainly in a complete state of servitude in this matter.

The MARQUESS of LANSDOWNE felt that it was not for him to give a legal opinion as to the power of the Crown; but he was prepared to say that it would not be desirable for Her Majesty's Ministers to advise the Crown to depart indirectly, even though legally, from that which was the intention, and spirit, and scope of the former Act of Parliament; but it seemed to him that nothing could be more clear than the words of 5 George IV. It stated not merely the places of confinement, but that it should be lawful for His Majesty, from time to time, by warrant under his sign-manual, to appoint places within England and Wales, either on shore or in vessels to be provided by His Majesty, for the confinement of persons under sentence of transportation; and not merely did it provide these places of confinement, but it went on in the same clause to say, that every offender so removed should continue in the same place of confinement, or be removed to and confined in some such other place or places as one of the Principal Secretaries of State should direct, until the offender should be transported according to law, or "should become entitled to his liberty." He said, that this clause contemplated a power being given to the Crown, which was to be exercised according to its discretion, of confining a person subjected to transportation for a year, or two years, or for the whole period for which sentence of transportation had been passed upon him. It was at the period of the time for which he had been sentenced, that the person became entitled to his liberty, and not till then. But why, it was said, not now part with the name of transportation? Because, he said, they had not departed from the principle of transportation. What they proposed was a modification of transportation. It was proposed by his noble Friend as a new mode, by which it was hoped they might succeed in correcting offenders. They began, then, with a term of imprisonment; and at the end of that term there was to be transportation, though transportation under another form. He was ready to admit, that supposing Parliament should, from experience, approve of this new system, then it would be desirable to give it the sanction of an Act of Parliament. But, till they had seen the mode in which this system might operate, they thought it better not to change the law, but that his noble Friend should avail himself of that discretion which Parliament gave to the Crown. This, then, was not to be considered as a permanent change in the law, but a change to be subjected to the consideration of Parliament. It was merely a temporary change, as many changes had been made on the same subject by his noble Friend at the head of the Treasury when Secretary for the Colonies. No greater change, in fact, than had been made by the noble Lord opposite when Secretary for the Colonies.

Lord BROUGHAM said, that the form of the clause adverted to by the noble Marquess, showed that it was not meant to give the Crown the power of imprisoning a man for life who had been sentenced to transportation for life; for the object of the clause was to the effect that the offender should be imprisoned in such gaol as the Crown should direct, until he was transported, or until he should be entitled to his liberty, as, for instance, by pardon. The clause did not say "until the sentence of transportation should expire."

Lord ASHBURTON contended that the admission made by the noble Marquess, that the proposed system, if adopted permanently, would require the sanction of an Act of Parliament, was an admission that the Government, while making the experiment without the sanction of an Act of Parliament, would be acting in contradiction to all law.

The Marquess of LANSDOWNE explained, that what he meant to say was, that it would be wiser in Parliament to make a permanent change of system after, rather than before experience.

The Earl of ELLENBOROUGH inquired whether the noble Marquess believed, that he would be able to have the proper experience? It would require an experience of seven or eight years rightly to test the proposed system; and did the noble Marquess and the noble Earl (Earl Grey) anticipate that they would remain in office long enough to have that experience?

The Marquess of LANSDOWNE anticipated nothing of the sort; but at any rate it would be for the next Government to consider whether they would continue the experiment or not. If they disapproved of the experiment, they would take another course—if they approved of it, they would continue it.

After a few words from the Earl of Chichester, Motion agreed to.

House adjourned.

HOUSE OF COMMONS,

Monday, March 8, 1847.

Minutes.] New Writ. For Canterbury, *v.* James Bradshaw, Esq. deceased.

Public Bills.—1° Tenants (Ireland.)

2° Registering Births, &c. (Scotland); Marriage (Scotland).

Petitions Presented. By Sir E. Colebrooke, from Westminster, for Inquiry respecting the Rajah of Sattara.—By Mr. Christie, from Weymouth, and Mr. Hume, from Leith, for the Reduction of Lighthouse Dues.—By Mr. Masterman, from London, for Reduction of the Duty on Tea.—By Sir J. Pakington, from Kingston-upon-Hull, for Alteration of the Law respecting Juvenile Offenders.—By Mr. Hume, from Kensington, for Inquiry respecting that Parish.—By Mr. S. Carew, from Guardians of the Waterford Union, against Union Rating (Ireland.)—By Mr. S. Crawford and other Hon. Members, from several places, for Alteration of the Poor Law (Ireland.)—By Mr. Bateson, from Moira (Downshire), and Mr. Shaw, from Richard Daly, of Tullamore (Ireland), against the Poor Relief (Ireland) Bill.—By Mr. Cripps, and other Hon. Members, from several places, for Repeal or Alteration of the Poor Removal Act.—By Mr. Romilly, from Bridport, and Mr. R. Yorke, from York, for Abolition of the Punishment of Death.—By Mr. Hayter, from numerous Railway Companies, against the Railways Bill.—From Members of the Grand Jury of the County of Wicklow, in Favour of the Railways (Ireland) Bill.—By Captain Vyse, from Guardians of the Towcester Union (Northamptonshire), for Alteration of the Law of Settlement.—By Lord G. Bentinck, from the Chairman and Deputy-chairman of the Association of British Holders of Spanish Bonds, for Redress.

CRACOW.

Mr. STUART WORTLEY, seeing the noble Lord at the head of the Foreign Department in his place, was anxious to inquire whether there would be any objection on the part of the Government, in consideration of detriment to the public service, to lay upon the Table of the House any document or documents which might tend to elucidate the fact, mentioned in the course of debate some nights since by the noble Lord at the head of the Ministry—namely, that the words in the Convention of 1831, relating to the Treaty of Vienna, had been introduced at the instance of the Ministers of Russia?

Viscount PALMERSTON replied, that since the hon. and learned Gentleman had given notice of his question, he had instituted inquiries in the Record Office, and he would be prepared in the course of the evening to lay upon the Table certain memoranda presented by the two Russian Plenipotentiaries in 1831, which formed the groundwork on which the convention in question was based, and which would be found to bear upon the question. He would also be prepared to lay on the Table an extract from a despatch of the late Lord Londonderry, which would likewise be found to relate in a very important manner to the question.

THE SLAVE TRADE.

MR. HUME inquired of the noble Lord at the head of the Foreign Department, whether there was any intention on the part of the Government to repeal an Act passed in the year 1845 respecting the Brazils, and making the slave trade there carried on piracy?

VISCOUNT PALMERSTON replied, that the Act in question had been proposed by the late Government, on the same principle as that on which a measure of a similar character was proposed by the Government which preceded them with respect to Portugal, namely, on the ground that the Government of Portugal at one period, and that of the Brazils at another, had declined fulfilling their engagements with regard to the slave trade. The Government of Brazil were to agree to a certain treaty for the suppression of the slave trade, and had they done so, it would have been the duty of the British Government to accept that treaty in lieu of the Act now existing. Most assuredly it was not the intention of the British Government to repeal the Act of 1845, until Brazil concluded an amicable treaty for the suppression of the slave trade, as a substitute for the measure in question.

MR. HUME observed, that what he was anxious for was, that something should be done to prevent a state of things such as now existed, and which had produced such unseemly events as that which had recently occurred in a case where, after British officers had been murdered by certain inhabitants of the Brazils, the guilty parties were permitted to escape with impunity, though they were brought to trial here.

THE GOVERNMENT MEASURES (IRELAND).

On the Question that the Order of the Day be read for going into Committee on the Landed Property (Ireland) Bill,

MR. ROEBUCK, before the Order of the Day was read, wished to bring under the attention of the House the fact, that they were about to proceed to the consideration of two Bills, one relating to the support of the poor in Ireland, and the other to landed property in that country. Now, he was anxious to know from the noble Lord (Lord J. Russell) whether it was to be distinctly understood, that provided he did not suceed in carrying through the Poor Relief Bill substantially as it now stood, he was nevertheless prepared, he would not say as a Member of that House, but as an adviser of Her Majesty, to propose that the Landed Property Bill should be proceeded with? He should like to have an answer to this question from the noble Lord, as he was of course prepared to propose that the Poor Law Bill for Ireland should first be proceeded with, and then the Property (Ireland) Bill afterwards. In short, he wanted the Poor Law Bill to take precedence of the Landed Property Bill: but supposing the noble Lord did take up the last-named Bill first, would he then be prepared to state that the Poor Law Bill should be carried through?

LORD J. RUSSELL thought this was a question which had not been asked before, and therefore he had had no occasion to answer it. He hoped that the Landed Property Bill would go through Committee, and that the Poor Relief Bill would afterwards go through Committee likewise; but as to what would take place in the event of their failing to carry the first-named Bill, he thought that probably the House would agree with him, that the present was not the time to settle what should be done in such a contingency.

MR. ROEBUCK understood the noble Lord to have formerly said, that he would proceed with the Landed Property Bill and the Poor Relief Bill *pari passu;* what he wished the noble Lord now to do, was, that if the one step was not taken, he should not take the other—that if the Poor Law Bill was not carried substantially in its present form, he should not go on with the Landed Property Bill.

LORD J. RUSSELL had stated that he would pass both these Bills *pari passu:* that was to say, that having gone through Committee with the Landed Property Bill, he would then proceed with the Poor Relief Bill in Committee, so that they might come to the third reading at the same time. What he would do in any such contingency as that to which the hon. Gentleman referred, he thought it was unnecessary to state.

Order of the Day read.

LANDED PROPERTY (IRELAND) BILL.

On the Question that the Speaker do leave the Chair, for the House to go into Committee on the Landed Property (Ireland) Bill,

Mr. HUME inquired what course was to be taken with reference to the introduction of a Bill to facilitate the sale of land in Ireland?

Lord JOHN RUSSELL observed, that the measure referred to was one which required very great consideration. It would be introduced by the Lord Chancellor in the other House of Parliament, where it would have all the weight of his authority. He hoped it would take no very long time to pass the Bill in the other House, and it would then be disposed of in that House as speedily as possible.

Mr. ROEBUCK rose to bring forward the Motion of which he had given notice. The proposition which he wished to submit to the House was, that any plan of relief for the distress of the Irish poor, by means of loans to the owners of property in Ireland, would be unjust and impolitic that was not accompanied by a system of taxation which would place the Irish property of all sorts in precisely the same condition as that in which the property in England was now placed. He did not understand how that proposition could be objected to. The thing was plain; the modes of obtaining the means for taxation were the same, and he was thoroughly at a loss to understand why there should be any opposition to his proposition. He was prepared, and well prepared, to meet with opposition from Gentlemen at both sides of the House from Ireland. He was accustomed to their opposition, and expected not only opposition, but abuse; but neither the one nor the other was a matter of any importance to him; still, as they had vouchsafed to call themselves his opponents, he should think it his duty, before he got to the end of what he had to say to the House, to take notice of the arguments that might come from that portion of the House. But before he came to that portion of the House, he wanted to answer the rational arguments that might be raised against his proposition. The proposition itself might be placed on plain and simple grounds. This was a community composed of various nations; they had an interest in common — they had obligations in common—they had difficulties in common. To meet those they had one common fund. The landlord of England, the merchant of England, each brought his quota into the general exchequer, for the purpose of upholding that country which was known as the great nation called Great Britain and Ireland. There was no grumbling, there was no opposition, on the part of England, whether the tax were derived from land, or fixed or other descriptions of income, or from labour. They, he would say the people of England — cheerfully paid to maintain that which was for the interest of the people of Great Britain and Ireland. And now he wanted to know what was the condition of those who, in Ireland, were the possessors of wealth, or of land, or of fixed capital, or of property of any other description, or who derive large incomes from their professional labour, or who should directly pay the taxes to the community. He found there were three great descriptions of taxation from which the Irish population were exempt. He found there were, first, the assessed taxes, which no Irishman paid. Now, let them understand what an assessed tax was. It was a tax upon a man's house, upon his windows, upon his servants, upon a variety of things —such as his horses, his armorial bearings. Now, an Irishman might have his arms emblazoned on his carriage, he might have his horses and his servants, and yet pay no tax for those peculiarly aristocratic indulgences. An Irishman, on crossing the Channel, was free to make a display, and that he knew was felt in Ireland to be a painful thing to tax—to tax display in Ireland, would be to tax one-half of the country's pleasure. He would next proceed to the poor law. Ireland was exempt from taxation for her poor—that was to say, the gentleman, the citizen, the well-to-do artisan was in Ireland exempt from that which the English gentleman — ay, and every Englishman, felt to be his duty—namely, to maintain the poor. The Irish gentleman—the Irish citizen—the Irish artisan — all thought that a matter utterly and entirely beneath their consideration, and with which an Irishman had nothing to do. It was very peculiar that all those taxes fell upon the rich; but he found when those classes in Ireland were told by an official in that country they had duties to perform, that his statement run through the country as if he had rung a knell that would be the death-warrant of one half of the display of Ireland. He said, "Property has its duties as well as its rights;" and that phrase had a response in every English and Scottish bosom, but it wanted a response in Ireland. It found none there; that sounding-board which should return it was cracked and spoiled, and the sound was nothing. They got no response, they got no answer from Ireland; but the good feeling of the people of England, aided and assisted by the good feeling of the people of Scotland, would remedy that, and would, he hoped, mend that, and make the people of Ireland respond. Let them mark it was the rich that had escaped from all taxation, either including the poor or the general interests which he was now about to bring before the House. He asked that property (as it ought to be) be taxed in Ireland as it is in England. He asked that, in the name of all that is good, in the name of all that is humane and beneficent. He asked that Irish property—he did not want to put it on anybody else but the rich in Ireland—he asked that the rich in Ireland should bring their quota to the national Exchequer towards payment of the national expenses. And he now asked the noble Lord at the head of the Government on what ground the noble Lord could venture to oppose the honesty and policy of his proposition? What was his proposition? It was simply this—that if a man in Ireland shall attain riches, anything above 150*l.* a year, whether derivable from land or from his intellect, shall, with respect to taxation, be treated as in England. It was a debt due to the nation, which they had not paid, and which he found them mightily unwilling to pay; and which he found, moreover, they had made a number of pretexts to avoid paying. But, with the blessing of God, they would see what those gentlemen were made of; they would try them in each particular, and when they threatened repeal, let them beware they did not get repeal. And let them beware that they who spoke loudest for repeal, were not the first that would be overwhelmed with the torrent that would succeed. What had they heard of repeal in the country since a real calamity had come upon it? Was there ever such a spectacle? People talked out loudly in times of prosperity and wealth. At that time all were for self-government—all were for repeal—they were all against the Saxon, and for the Celt. It had pleased Almighty Providence to visit them with famine. At once this hurly-burly ceased—there was an utter and complete prostration of body and mind amongst the whole of those rampant talkers for repeal. They had nothing to propose, but they had all to ask—their whole limbs and body, except their tongues, were inert, and utterly useless, and with the tongue they cried, "Give, give." They had nothing to propose—but the dictator of the Saxon and the advocate of the Celt crept into his hiding-place, and nought could be heard from him but his whimpering voice asking aid for Ireland. That was the picture of a thorough-going Repealer. When he turned to England, what was the contrast? He saw a brave nation bearing its ills with a fortitude which commanded admiration, and with a perseverance that won sympathy. He perceived a gentleman opposite him, whose lucubrations he had that day seen in the *Morning Chronicle*, signed by "D." something "Norreys." That Gentleman was a Member of the House; and why did he not bring forward there some comprehensive plan for the regeneration of his country? Why did the hon. Member go to the noble Lord to ask him for aid? Did they in England depend for aid on the noble Lord? No; they depended on themselves, and that hon. Gentleman should have placed on that Table his propositions, and not put them forward as he had, with bended knee and whimpering voice. Why did he not place his demand of what was needed for his country, on that Table, and say what was requisite for its well government, and he would command the sympathy of the English Members of that House? He pledged his faith for the people of England that they would give their immediate assent to any proposition which had a fair and honourable regard to the real interests of Ireland. [Mr. S. O'BRIEN: Hear.] He perceived the hon. Member opposite—the hon. Member for Limerick—said "hear," and he knew exactly what he meant; he was going to propose repeal—he saw it in his eye. He understood there was an Irish Member who sat opposite to the noble Lord in order to eviscerate him. He saw from the expression of countenance of the hon. Member for Limerick that he was about to propose something for Ireland that he knew the House would not adopt; but he (Mr. Roebuck) would tell him not to be too sure. There was no one that repeal would so utterly ruin and so utterly annihilate as those who cried out for it. If the hon. Member proposed repeal, he would probably be met just in the way he had met the hon. Member; for if those proceedings were carried one step farther, repeal would be called for by England. They should cut the painter at once, and allow them to drift on the water unaided and exposed to the howling of the tempest. There had been nothing proposed by that party which would make an impression on a rational man's mind, or win for itself a moment's hearing. He had taken a part in Irish debates, and he had won for himself perhaps an unenviable notoriety. Amongst those who had come to him were two Catholic priests; and he hoped the hon. Member for Kilkenny would listen to what he had to state. One was the Rev. Dr. Collins; the other the Rev. Mr. M'Carthy. He mentioned their names with their own consent. They came from Mallow, having been sent as a deputation from that neighbourhood. What was their first statement to him, when, after the usual courtesies, he had asked them to be seated? "Sir," said one of them, "don't believe that the Gentlemen in the House of Commons that come from Ireland represent Ireland." His (Mr. Roebuck's) answer was—"Sir, I am extremely glad to hear it." "Sir," said they, "they are the representatives of property in Ireland; now we, the priesthood, raised from amongst the people, entirely conversant with their feelings, mixing with them, are here, Sir, deputed to tell you from the Irish people this—don't listen to a word that is said in the House of Commons by any representative from Ireland." He (Mr. Roebuck) said, "I shall most religiously obey your request." "They do not (they said) represent the people of that country—they represent the rich, and they are following out most carefully the interests of the rich whom they represent." One of these clergymen then said there were around Mallow a number of gentlemen of large property, mentioning the names, which he had not put down; but he asked the clergyman to send them, which he had not done. That gentleman mentioned the names of persons possessing three, four, five, six, and he thought, ten thousand a year. He said they went around for subscriptions to those gentlemen for the relief of the starving people. The people were absolutely starving at the time, and it was stated at coroners' inquests that they were dying from starvation. They went to these gentlemen and asked them for relief for their starving brethren; and from none of these gentlemen did they get anything but the minutest trifle by way of relief; and one of these rev. gentlemen said—and he would remark that he was greatly won by this gentleman's manner; he had a heartiness about him; it was not what he had been accustomed to see coming from Ireland—but he had a heartiness about him which won his (Mr. Roebuck's) approbation—and his eye twinkled when he said that one of these gentlemen had seventy dogs living on meal and milk every day, though coroners' inquests were held at that man's gate upon persons who had died of starvation. Now, he appealed not to the Irish in that House, but he appealed to his own countrymen there, and he raised his voice to the whole of England and Scotland, and he asked them, were they prepared to bear that infamy? He knew there would be a responsive cry amongst the millions of England and Scotland; but as to the Irish landlords, he knew why they were such a class of men. They had been made so very much by English legislation. They had been very much like slaveholders, with white slaves. But if they had imposed slaveholders on that country, that was not caused by the present feeling of the English people towards Ireland, but was the inevitable consequence of their forefathers' acts. They carried out the base feeling of oppression which was once rancorous in the English heart towards Ireland; but there was no such feeling in England now; it had gone from this country; but it had rested in Ireland. He wanted to have the feelings of the English people brought to bear strongly upon the Irish landlords. It should be so brought to bear in all things connected with the poor. The English had done mischief, but they would undo it. They had done it by protecting a certain class in Ireland—a class of slaveholders as he had called them. But they should no longer exist as such—they should maintain their poor, and contribute to the maintenance of the public weal in various ways, as the people of England did. And he (Mr. Roebuck) now asked the noble Lord at the head of the Government, what objection he could have to the proposition which he made? He might say it was not the time to do so, that the Irish landlords were not prepared for it. He (Mr. Roebuck) thought he saw an hon. Friend of his (Alderman Humphery) near the bar, who was connected with Irish lands, and he could tell them that Irish rents were very well paid. He was sure the hon. Gentleman would not object to his pointing to him. He was connected with the City, and the City companies were large holders of Irish land. It might be that in some one or two districts the Irish landlords did not receive their rents; but throughout the large majority they did. [" No."] The hon. Member who cried "no" might be one of those who had not received his rents; but there was nothing more easy than to prove who had. It was very easy. Let each Gentleman state what he had received, and for all that was above 150*l.* let him pay as much as a man in England. There would be no longer any mystery in these matters; the *Times* newspaper cast a great budelight upon them, and brought everything out except the secret working of the hearts of these Gentlemen, and these would soon be revealed by the great light. The House could not but be aware of the large proportion of Irish landlords in the Cabinet. Was it necessary to mention the names of all the great Irish landed proprietors connected with the noble Lord's Administration? He might name the Marquess of Lansdowne, the Marquess of Clanricarde, in the Cabinet; and he might mention Lord Monteagle, who was beating at the door to get in. He might also mention that nobleman who shook Europe to its centre, Lord Palmerston; he might also mention the Duke of Devonshire, and also a nobleman who, though not in the Cabinet, it was true, was a magnate, notwithstanding, Earl Fitzwilliam. Had he not come out in support of the project of the noble Lord the Member for Lynn? He was the first to declare in its favour; and he could understand the feelings of the noble Lord when he read the speech of Earl Fitzwilliam on the occasion; he was sure the noble Lord clapped his hands, and said he had got the sixteen millions. But there was another body stronger even than Earl Fitzwilliam, and that was the people of England. He might mention one more name—a noble Lord whose Administration he was sure deserved all praise; but still there were certain feelings in the breasts of all men—he might mention Lord Besborough. He could go through a great number more; but these were the great landed proprietors of Ireland, known to the people of England, who had a narrow and exclusive Administration formed for the benefit of persons of this description; for the rest was "leather and prunella." This was the real Administration. There was a great number of persons on that bench for whom he had a personal regard; but he wrote them down as ciphers. The former were the real persons in the Cabinet, and were the persons who, in the face of the United Kingdom, countenanced those who had sent a deputation to the noble Lord (Lord John Russell) to try and frighten him, and to tell him they would not have an honest poor law for Ireland; and a very significant answer was given by the noble Lord—it was not like the noble Lord—it was by way of inuendo. He had always thought the noble Lord a brave man. That was the part of his character he liked. There was little else connected with the noble Lord with which he agreed. He thought he was a bold man, and possessed of civic courage; but what was the noble Lord's reply to a question which he had put to the noble Lord that night? "I cannot say what I shall do if the Poor Law Bill be rejected." He could tell the noble Lord what they (the House) would do; and he warned him that, if the Poor Law were rejected, they would throw out both Bills. He was certain of it, because he knew what the people of England thought of the matter. It was an off-hand sort of testy manner of answering a question, "I won't say what may happen; I can't say what I will do." He thought this was not well done on the part of the First Lord of the Treasury. But in a vital question, which involved the interests of commerce, the Cabinet was divided. They had the Chancellor of the Exchequer voting against the First Lord of the Treasury; and the whole Ministry reminded him of what a sailor had said of the old *Agamemnon.* He said she was in such a bad condition when they took her into port, that when they took the water out of her she tumbled all to pieces. So the Ministry were merely held together by the confusion amongst their assailants; they were held on the top by the surging of their opponents, but when that disappeared they would fall to pieces. Could it be that on a question like that which had been debated a few nights since, one right hon. Gentleman should oppose the other; and now, on this question, he could not receive an answer from the noble Lord? But he could tell the noble Lord, he would not carry one of these Bills through, except he carried both through. His object was, that the people of Ireland should pay their proportion of the national expenses. He assumed that the majority of that House was in favour of the union of the two countries at present. It was to be assumed that the union existed for national purposes: then, of course, the national expenses should come from a common source. Why, then, should not a man in Ireland pay according to his means for this purpose as much as an Englishman? Now, mark what the Irish proprietors did. All those whose names he had mentioned were denizens of England, and paid their income tax here on the revenue they got from their Irish property. He would take Earl Fitzwilliam, for instance. The income tax was paid by him as much on his Irish property as on his English property. [An Hon. MEMBER: No, no!] Yes, yes; if the hon. Member would look into Schedule B, he would see that this was the case. He had looked into the subject, and was perfectly satisfied with the correctness of this. It was only common sense, that a man living in London should contribute to that tax; and why should not this be the case with a man living in Dublin? The right hon. Member for Tamworth always met a difficulty at the particular moment needed, and did so touching the case lightly. Like a lawyer in opening a case, he only stated just sufficient for his purpose. When the income tax was proposed, he asked whether they were to regard it as a temporary measure? and the right hon. Gentleman turned round to the House and smiled, and said how can you conceive but that it is intended to meet the peculiar circumstances? He, at that time, said, Don't believe a word of it, that it will only be continued for three years. The three years passed away; and the right hon. Gentleman, smiling still, again proposed to renew it for three years. These three years had not passed; but there could be very little doubt as to what would occur at the termination of that period. Everybody would find that the income tax would be continued for the rest of his natural life. There was not a young man in that House—and there were many young men there—who would not find that up to the time of his death he would have to pay the income tax. There was a cry out some time ago, because an additional tax was put on spirits in Ireland. He recollected that when this spirit tax was laid on, they were told it could not be levied; and certainly the next year saw its repeal. It had been suggested the year before that smuggling would so much increase, that they would be obliged to repeal it. The right hon. Gentleman then came down and used the general phrase which was so common in the House of Commons, that the matter was most difficult to deal with, in consequence of constant violation of the law. By such means they got rid of it. Why not get rid of the income tax? He had watched the career of the right hon. Gentleman for the last fifteen years; and the right hon. Gentleman, he was sure, was aware that the Government must be amenable to the feelings of the people of England; and he must know how completely contrary they were to the whole Irish system of government. He must know that there was no likelihood of repeal being attained unless by one course. It would be done by the effective common sense of the people of England, if the attempt were persisted in of endeavouring to get from them the means of maintaining a large population. The state of that population was well worthy of a great statesman's consideration; of a man who looked to the great motives of human action, and who would pursue such a course as to convert them into such a population as they had now to deal with in this island. He must convert the Irishman, who did not know the pleasure of independence, into the Englishman, who had the feeling not to submit to dependence. When they found an Irishman rising from the lower ranks of life, he looked forward, not to his own self-maintenance by independent industry, but he looked either to obtain a maintenance from the State, or support from the great man of the district. It was quite extraordinary for him to pursue a different course. It was, then, the duty of a Minister to meet this difficulty, but not by that most preposterous step taken by the noble Lord of casting most lavishly —dangerously lavishly, and even criminally lavishly—to the people of Ireland not less than 8,000,000*l.* He said criminally lavishly, for the consequence of this proceeding would be that the year 1847 would be succeeded by the more terrible year 1848. There were millions looking for maintenance from England; and as they knew that they got it in 1847, they would not look to the harvest for their support next year. They said, while England was wealthy, and possessed the means of supporting them, what necessity was there to do such a thing as to endeavour to provide for their own subsistence? No greater fault was ever committed by a statesman than by doing that which had been done, and thus having the whole population of a country careless of producing the fruits of the earth by which they might be maintained. In the whole history of mankind there was no parallel case; there was nothing like it from Genesis downward, to that which now prevailed, of 8,000,0000 of people being fed by England, and utterly dependent on her. If, unhappily, after next harvest there should be a recurrence of this state of things, he saw that there must be most awful misfortunes for England and Ireland. He said, without hesitation, that England now called forth the admiration of the world. But this would not be the case if such a course were persisted in, for the people would soon see the whole of their resources squandered away. There was a feeling of pride in the good people of England, which would not let them tell their distresses, instead of always coming forward and saying "give me relief." There was a feeling of honour which shamed them from asking. He addressed himself to the representatives of that great nation, and he would ask them whether they were prepared to sacrifice the independence and the resources of the people of this country for the landed aristocracy of Ireland? Was it not to sacrifice this great people, if they did not take one step to make the landed proprietors and all the property in Ireland liable to a due proportion for the expenses of the State? Let each man contribute according to his means in both countries. Let them resolve that all those with incomes above 150*l.* a year were in a condition to give something towards the support of the national establishments. He would appeal to hon. Gentlemen, and would suggest to them that it would not be long before this nation would be called upon to pass judgment on their acts; and in spite of all temporary excuses they would have to stand before the nation, and would be asked what they had done for the people of England? They would answer, that they had squandered on the idle, that they had thrown away on those who neglected their duty, and that they had paid the Irish poor 8,000,000*l.* because the landlords were unwilling to do anything. and the people with property recoiled from giving any aid. They must be so prepared to meet their constituents if they did not vote with him. The hon. and learned Member concluded with moving as an Amendment—

> "That any plans of relief for the distress of the Irish Poor, by means of loans to the owners of property in Ireland, would be unjust and impolitic, unless accompanied by a system of taxation which would subject such property to the burdens already imposed on all property throughout Great Britain."

Mr. LABOUCHERE: Sir, although the speech of the hon. and learned Member for Bath has been marked by even more than his accustomed ability, yet I must confess I have listened to it with the deepest regret. I came down to the House this evening prepared to discuss one of the most important of the measures which Her Majesty's Government have thought fit to submit to the Legislature, at a period when the utmost anxiety is alive to the distress now prevailing in Ireland; and I think it is but a bad preface to this discussion if we are to be involved in a debate replete with topics of anger, and in which general invectives and comparisons between the Celt and the Saxon are likely to be employed between hon. Members on either side of the House. I regret this much, and much more the sentiments that have been expressed by the hon. and learned Member, for words pronounced within these walls are winged words; they will be carried to a country where there is suffering from extreme poverty and famine; and where there are not wanting people too apt to make use of that suffering to widen whatever breach there may be between England and Ireland—people who would be glad to point to this House and to England as the source of misery of Ireland—I regret, under these circumstances, that the hon. Gentleman should have thought fit to deliver the speech which we have just heard; and I rise principally for the purpose of persuading the House (or, at least, of endeavouring to persuade the House) not to allow themselves to be drawn into a discussion of the topics which the hon. Gentleman has introduced into his speech; but, on the contrary, to apply themselves to considering the important measure which the Government has submitted to the House. If, in truth, on every Irish Bill which is brought before this House we are to resume a debate on the Union; on the distinction of Celt and Saxon; on taxation, and other subjects—I own I shall despair of the House being able to mature any of the important measures which will be submitted to them; and must protest, on the part of the Government, against such a proceeding, for the Session will otherwise pass away without our being able to obtain a fair discussion on any important measures. With regard to the proposal of the hon. Gentleman, it is hardly necessary for me to employ my time in asking this House not to accede to such a proposition. I will not, therefore, enter on the general question, whether or not Ireland should bear her share of taxation. I am quite prepared to admit, as a general principle, that she ought to do so; but at a period of unexampled distress in Ireland, when the first question of paramount importance is in what way best to keep the people from starving, that is not the time at once for saddling her with assessed taxes and a property tax. The hon. Gentleman has accused the Government of criminally lavishing and wasting 8,000,000*l.* of money in employing the people of Ireland. Now, I have never disguised from the House that the Government expenditure has caused a great deal of mischief; and it is impossible for the Government to undertake that which it is out of the ordinary functions of a Government to perform without doing mischief. The Government have endeavoured to employ and feed the people of Ireland, and it is impossible for them to do this without producing great concomitant mischief. I have never disguised, as to the Labour-rate Act, as introduced by the late Government, and as modified by the present Government, that from that have arisen great abuses—nay, more, that they are even now spreading; as there surely will be abuses under the other measure which the Government have introduced as a substitute—viz., the Bill to facilitate the supply of food to the destitute. I cannot disguise from myself that even that measure will produce great abuses, for it is not more possible for a Government to feed than to employ the people. But, what alternative was there? Without raising our hands we should have permitted hundreds of thousands, ay, millions, to suffer from famine and pestilence. Sir, a man who could have given any other counsel than for us to relieve them, must be a man who had not a heart of flesh in his bosom. And that is the only justification I can make for supporting the measure. The hon. Gentleman has adverted to what fell from the noble Lord at the head of Her Majesty's Government with regard to the connexion of the Irish Poor Law and the Bill now before the House; and the hon. Gentleman seems surprised that the noble Lord has not answered the question put to him. What the hon. Gentleman has said of my noble Friend, I think is very true, for he is a bold man and a bold Minister; but I must say one of the virtues of a Minister ought to be discretion as well as boldness. My noble Friend has full reliance and confidence, and justly so, on the propriety of this measure, and fully expects the House will pass it into law; but my noble Friend conceives there is a close connexion between these measures, and wishes to send them in company to the other House of Parliament. I will not trouble the House any further, it being my principal inducement in rising to dissuade the House from being drawn into the discussion to which the hon. Gentleman has invited them; for, if they are, then this night will be thrown away—much worse than thrown away—it will have been spent for a very mischievous purpose. The situation of Ireland is very critical, and ought to be considered with sobriety, and ought to be discussed by a truce to those angry passions, which never lead to any good. I hope, then, the Members of this House, whether Irish or English, will approach this great subject in a proper spirit. I am as opposed to the repeal of the Union as any man in this House; and as to Celt or Saxon, I only wish to see these two compounded into one great nation; for without that we cannot fill the place in the world we ought to fill, but we cannot do this by harping on topics of this kind. I have been induced to say more than I had intended when I rose, but I hope the House will not continue this discussion, and allow you, Sir, to leave the chair.

Mr. SHAW had hoped, with the right hon. Gentleman, that they might have been permitted to proceed to the business of the night, without the interruption of the hon. and learned Gentleman (Mr. Roebuck), and that in pursuance of the arrangement of the noble Lord at the head of the Government, they might at once have entered upon the consideration of the measures for the permanent improvement of Ireland. Theretofore, since the commencement of the Session, they had been engaged in passing only temporary measures of relief; and, despite the accusation of the hon. and learned Gentleman, he felt that he might say, on behalf of the Irish Members, that they had thrown no impediments in the way of the Government in passing such temporary measures, or in imposing such charges on Irish property as the Government desired to meet the present calamitous emergency. They had fully acknowledged, likewise, the splendid liberality of the English people for the same purpose. He had hoped that they had successfully repelled the unmerited obloquy which the hon. and learned Gentleman and some Members of that House had attempted to cast upon the Irish resident landlords—

and upon that night he had anticipated that the acrimony and personal invective which had too much characterized their preliminary discussions, would have given place to a different spirit. A sore famine was in the land; and while they might hope that, under God's blessing, the means taken might stay the hand of death, and alleviate the national suffering, he trusted that they would have proceeded calmly and dispassionately to consider the measures of a permanent character which the Government had submitted for developing the resources of the country, and ameliorating the future condition of the people. But such a course was not pleasing to the hon. and learned Gentleman; and he had returned with more than his usual acerbity to vituperate the representatives, the landlords, and the resident gentry of Ireland. The hon. and learned Gentleman had detailed to them the accusations of two Roman Catholic clergymen against the whole resident gentry of the neighbourhood of Mallow. He would not stand up there to defend such unfeeling conduct as was imputed to them; but in the absence of their names, and the circumstances of the alleged refusal to contribute anything to the relief of the poor, he doubted the accuracy of the statement, and would beg of the House to suspend their judgment until the persons alluded to should have the opportunity of hearing and refuting the charges brought against them. He deprecated those anonymous and sweeping accusations, and wished the hon. and learned Gentleman had mentioned the names of the individuals to whom he had referred. The hon. and learned Gentleman stated that when these clerical gentlemen assured him that the representatives of Ireland in no way spoke the sentiments of Ireland, that the hon. and learned Gentleman religiously believed them, he could only say that although the hon. and learned Gentleman seemed so frequently to mistake himself for the people of England, he as religiously believed that the hon. and learned Gentleman did not represent their sentiments. The hon. and learned Gentleman exhibited his kindness to the poor of Ireland only by his bitterness towards the rich—his benevolence to the tenants, by his pholosophical malevolence towards their landlords. The hon. and learned Gentleman's proposition was, that any plans of relief for the distress of the Irish poor, by means of advances for the improvement of landed property in Ireland, would be unjust and impolitic, unless accompanied by a system of taxation which would subject such property to the burdens already imposed upon all property throughout Great Britain. He freely admitted the general principle, that it was desirable that the same laws, the same customs, the same habits, and the same system of taxation should prevail in every part of the United Kingdom. But to legislate wisely, they must, in applying general principles, have reference also to circumstances, and could not overlook the relative condition of the different portions of the empire, in respect to which it might be proposed to assimilate legislation. There were a few leading statistical facts which bore upon the question, to which, without dwelling on them, he would beg shortly to call the attention of the House. They would be found in official documents, of which the House were in possession. England was a rich and a manufacturing country. Ireland, at present (for he admitted her great undeveloped resources), a poor, and essentially an agricultural country. Compare them, however, in an agricultural point of view alone. The population of Great Britain was little more than double that of Ireland. The cultivated land in Great Britain was estimated at 34,000,000, in Ireland, at about 14,000,000 of acres. In Great Britain, the annual value of agricultural produce at 150,000,000*l.*; in Ireland, at about 36,000,000*l.*; in Ireland there were a greater number of labourers absolutely than in the whole of Great Britain—more than double the number of labourers relatively to cultivated land—more than four times the number of labourers relatively to produce. In Great Britain, labourer's wages averaged from 8*s.* to 10*s.* per week; in Ireland, from 2*s.* to 2*s.* 6*d.* The net income of British landlords was estimated at about 70,000,000*l.*, that of Irish landlords at about 6,000,000*l.* Take as a sample a county in each. The county of Norfolk, in England, and of Mayo in Ireland, were about the same in size and population, viz., population about 400,000, acreage about 1,300,000; while the rental of Norfolk was estimated at 2,000,000*l.* annually—that of Mayo at 326,000*l.* The annual revenue contributed by Great Britain about 44,000,000*l.*—that of Ireland about 4,000,000*l.* In Ireland, it was estimated that there were about two millions and a half of persons, in ordinary times, having no reference to the present calamity, in a state of destitution, and about as many more that would be considered in England as entitled to poor-law relief. Bear in mind, also, that they had already during the present Session imposed a charge upon the land of Ireland that might be roughly estimated at about 5,000,000*l.* of money. He would not then stop to draw inferences from those facts, which he only mentioned in answer to the hon. and learned Gentleman, but which he begged the House to recollect while engaged in the discussions upon which they then were entering. There was one inference, however, against which he would wish to guard himself, namely, that he desired to withdraw the property of Ireland from its just liabilities; he fully acknowledged the maxim quoted by the hon. and learned Gentleman—that property had its duties as well as its rights, and that ultimately the property must support the poverty of the country; but Ireland could not do it in her present condition. The object that the hon. and learned Gentleman seemed to have in view, to destroy one class—the so-called rich in Ireland—would indeed be of easy accomplishment. He considered the true interests of all classes—the rich and the poor, the landlord and the tenant—to be inseparable; and the means by which the hon. and learned Gentleman proposed to injure the landlords, he had no doubt would swallow up all classes in one common gulf of pauperism and ruin. But he would not, for a moment, imagine that the gratuitous injury of any class, or any portion of the empire, would be the principle of legislation in that House; he trusted, on the contrary, that they would conduct their deliberations, for the permanent welfare of Ireland, in a spirit that became the Imperial Parliament, when legislating for what he hoped ever would be an integral portion of the United Kingdom. His hon. Friend near him (Mr. Smith O'Brien) said, he (Mr. Shaw) would soon change that sentiment; but he thought otherwise, notwithstanding the provocation of the hon. and learned Gentleman. But when the hon. and learned Gentleman talked so lightly of cutting away Ireland from that country, and letting her drift to her own destruction; let him not deceive himself—the hon. and learned Gentleman might injure or destroy one class of her inhabitants, but he could not annihilate them all; and he might depend upon it that, for weal or for woe, the destinies of the one country must ever be indissolubly linked with those of the other.

MR. JOHN O'CONNELL was desirous of conceding to the wish of the right hon. Gentleman; but he felt imperatively called upon to make some observations in reply to the hon. and learned Member for Bath. With respect to the address of the hon. Member for Bath, which was listened to with such perfect attention, he did not wish to create any ill feeling; but still he could not help observing that some of the strong sentiments which fell from the hon. Member were received by a party in that House in a very different manner to which they attended to the mild address of the right hon. Gentleman. The hon. Gentleman the Member for Bath had commenced his speech by stating that he was not much affected by the sort of compliments that had been passed by the hon. Members from Ireland during the late discussions, and that he would not retaliate by any offensive expressions; yet he had shortly afterwards charged the Irish Members with uttering nonsense, instead of attending to their business or offering any practical suggestions. And one thing in particular the hon. and learned Member had said, to which he (Mr. J. O'Connell) had felt disposed at first to have replied rather warmly, but on consideration he would not. It was in reference to the Repealers, in speaking of whom the hon. Gentleman had said that they were striving to cut the connexion between the two countries; but he warned them to take care lest the English people, growing tired of those continual calls upon them, should themselves cut the connexion, and set Ireland adrift. He retorted upon the hon. Member, and denied that the Irish Repealers sought to sever the connexion between the countries. He denied any such treasonable intent on their parts. But it was the hon. Gentleman who had given utterance to treasonable sentiments; and if the hon. and learned Gentleman asserted that the Irish Repealers desired only to see the connexion between the countries cut, he should feel it his duty to give such an assertion the shortest and the plainest answer in denial that the English language could suggest. The hon. Member for Bath also said that the Repealers had made no practical suggestion for the alleviation of the calamities that had fallen upon their country. But what suggestions had the English Members or the English press made? For five months past, the *Economist* newspaper had been promising its great remedy for the evils of Ireland. They had been looking with deep interest for its panacea, and at length, within the last week, it came out with the assertion that just nothing should be done for Ireland, and that she should be left to perish. He denied that the Repealers had offered no practical suggestions. When they saw the famine and misery approaching, they called out loudly to the Government to supply the people with food. They said that not the principles of a cold political economy, but those of warm charity, should be carried out, and they implored them not to leave the people to perish. Had their suggestion been attended to, the people would not have been drawn away from their private industrial employment, and there would not now be 700,000 of them engaged upon the public works. The Repealers had also called upon the Government to send home the absentees. A measure that would effect that object would confer far more benefit on the country than any other the hon. Member had suggested. As to the objections made by the Irish proprietors to the Poor Law Bill for that country, they had good reason to object to it. They had hitherto constantly seen the English people seeking for the amendment of the English poor law, and that House trying constantly to amend it. They had seen the English never able hitherto to carry their own poor law into effect, and yet they had the management of their own business in their own hands. They had succeeded in making the condition of the pauper in England worse and less desirable than that of the labourer; but they could not do that in Ireland. And he warned the hon. Member who so strenuously supported the Irish poor law, that it would be completely nullified by the amendments that were about to be proposed in that House. However, for the sake of the partial benefits which it might confer, he would give it his support. Another subject on which the hon. Member had touched was the question of levying the income and property taxes upon Ireland; and he had expressed a desire to know why it was that the right hon. Baronet had not placed an income tax upon that country when the spirit tax had failed to be as productive as had been expected? Why, the reason was simply because, as many Ministers had before declared, that the country had arrived at the highest taxing point. They had discovered that it could bear no more, and that if more were demanded it could not be obtained. There was evidence of that in the fact, that when by the assimilation of the Stamps Act, they expected to have increased the revenue from 170,000*l.*, which had been theretofore yielded, by 160,000*l.* more, the result showed 52,000*l.* short of what had been expected to be the increase. If the hon. Member began to compare the habits of the people of the two countries, he would ask him—not then, for that was not the time nor the fit occasion—but upon another and more suitable occasion he would ask the hon. Member what was it that caused the Irish people to appear (if, as the hon. Member had said, they appeared to be) indolent, lazy, or idle? And he would undertake to answer the question himself, and to prove that it was owing to the misgovernment to which they had been subjected by England. But it was a most unfounded statement to allege that it was the peculiarity of the Irish character to be indolent or to do nothing. Their manufactures had been destroyed, and all their industrial energies kept down by the legislation to which they had been subjected. The proofs were to be found in English books. They would find in a book which an Englishman, Mr. Wiggins, had written some two or three years ago, giving an account of the state and condition of Ireland, that the moment a poor man made any improvement upon his land or holding, his rent was increased, and he was at once deprived of the value of his labour and capital. [Mr. ROEBUCK: Hear, hear!] He understood the cheer of the hon. Gentleman. He knew that it was the act of the Irish landlord; but who was it that had the power to remedy the evil, and refused to do so? Why, that Parliament in which Irish Gentlemen, night after night, were obliged to listen to the slanders that were uttered against them. The hon. Member for Bath said that Irish gentlemen came over here, and availed themselves of their freedom from the assessed and other taxes. But the Irish gentlemen did not want to come over here at all, if they might be allowed to manage their own affairs. And if they were still to be forced from their homes, and from their occupations, it was too bad that they should be made the objects of attack in a hostile House of Commons every night, and by a hostile press every morning. Let those Irish gentlemen who came over here be taxed, however, if the House chose; but let them hear some sound argument before another tax were imposed upon their unfortunate country. Was the hon. Member aware that if a property tax were imposed upon Ireland, it would not be the landed gentry or great proprietors alone who would be the payers, but that it would fall most heavily upon the struggling and industrious middle classes. It would be those people who would be most heavily amerced by such a tax; and the effect of it would be the prevention of the rising up of that very middle class, which was so much desired in that House. Such a course would be unwise as well as unjust. That was not the occasion, or he would show that the evils of Ireland were attributable to the Union. But he would take an opportunity of proving it—of showing how the Union had worked, and how badly Ireland had been treated by it, and since its enactment. The hon. Member for Bath had, he presumed, the honourable ambition of being considered a sound constitutional lawyer, and as such would maintain the principle that taxation should be founded upon representation. Now, the exclusive taxation of England to which Ireland was not subjected, was not equal to one-fourth of the entire taxation of the empire. So that the proportion of the taxation of Ireland, as compared with England, was as three to four, whilst the representation was in the proportion of one to five and a half, or six. Would the hon. and learned Gentleman defend such a position? The hon. and learned Gentleman had complained of the harsh language used by some Gentlemen in speaking of what had been done for Ireland by this country; but was no allowance to be made for those who were resident amongst the unfortunate people, and who were daily witnesses of the distressed, the famishing condition of the poor? Was no allowance to be made for their excited feelings, when they were daily stung by the harassing scenes before them, whilst they were at the same time conscious that were there a Parliament in Ireland, such events could not have happened? Were they not at least justified in stating their belief that those evils were attributable to the Act of Union? and if they were betrayed into the use of strong language, was there to be no allowance made for them—no recollection held of the dreadful situation in which they were placed, amongst scenes almost enough to shake reason from her throne? Whenever the hon. Gentleman was ready to go into the question, he was ready to meet him in the House upon it, and to prove all that he had alleged against the Union—to prove that he was right in attributing all the evils of his country to it, and to show that, under its influence, Ireland was unduly taxed. He would not ask the hon. Member to meet him fairly, for he did not expect fairness from the hon. Member; but he would pledge himself to prove his assertions when the question came fairly before the House. It was nonsense to say that the welfare of one country, arrived at by means of honourable industry, could ever be incompatible with the welfare of another.

MR. H. J. BAILLIE said, that a more indisputable proposition could not have been uttered than that the land of a country ought to sustain the population; but the hon. Gentleman the Member for Bath was very much mistaken if he thought that the condition of Ireland was to be settled by the enunciation of an abstract proposition. They would find that there were many parts of Ireland where the land could not sustain the population; and the question then was—how was the population of such districts to be maintained? So long as the people of Ireland were accustomed to subsist on the potato, the land was able to sustain the entire population, and to send large quantities of its produce besides to this country. But if by a dispensation of Divine Providence they were deprived of that sustenance altogether, it became a question of very great doubt whether the soil of Ireland could sustain its population. He knew, as he had before stated, that there were many parts which could not do so, and that incapacity could not be cured by the enactment of the most stringent poor law. He had himself brought under the notice of the House a few days ago the condition of the people in the Isle of Skye, which might serve as an illustration of the condition of Ireland. The entire produce of the land might possibly sustain the whole population of the country for six months; the whole rent derived by the landlords would not sustain them for two months more; and how then were they to be sustained for the other four months of the year? The House had some experience of the character of the Irish people; they knew how prone they were to take advantage of any mistakes in legislation. They all saw how they had taken advantage of the crude and mistaken legislation of the last Session; and it showed how necessary it was to be cautious in what they were about. The hon. Gentleman behind him, the Member for North Northamptonshire (Mr.

Stafford O'Brien) had said that he was prepared to accept for Ireland the English poor law clause by clause, and he was cheered for the sentiment; but he (Mr. Baillie) would advise him to be cautious, and to adopt in preference some law more analogous to that which existed in Scotland. If they found hereafter that the plan was insufficient, it would always be in their power to amend it, and to make it more stringent; but if they were to establish the English system in Ireland, they would not have it in their power to recede, and the result might be, that the landed proprietors would be overwhelmed by the innate mass of pauperism which existed in that country. He, therefore, recommended the House not to establish in Ireland a law which might have heretofore worked well in England, but was not likely to suit the widely different condition of the other country.

Mr. HUME, judging by what had fallen from the hon. Gentleman who had spoken last, really doubted whether he had read the words of the Motion of his hon. Friend the Member for Bath. The hon. Gentleman had risen, and made a speech quite irrelevant to the question, and had attributed to the hon. Member for Bath the sustainment of a poor law as the panacea for Ireland, alleging that the hon. Member's panacea would not be found to answer. Now, the hon. Member for Bath was of opinion that a good system of poor law was necessary for Ireland; but he was not then putting it forward or setting up any measure of the kind. He was only asserting the policy and necessity of taxing the property of Ireland. The hon. Gentleman was in error in citing the Isle of Skye as an example. He stated that the whole property of the country would not be found sufficient to support the poor. But if the potato crop had failed, he (Mr. Hume) presumed there was other produce; and did the hon. Gentleman mean to say that he would sanction such a system as that England should send assistance to the Isle of Skye, but that the proprietors were to be freed from paying the same amount of taxation as the people of England? What the hon. Member for Bath said was—let them have an equal scale of charges, and let the Irish proprietors pay the same proportion of taxation to the State as the English proprietors. As to the hon. Gentleman's assertion that there were parts of the country which could not support the poor, he could only reply that he was informed, on what he must say was very good authority, that there was not a single poor-law union in Ireland that could not support its poor. He (Mr. Hume) believed that the money which had been advanced to Ireland had worked mischievously; and that if one-tenth part only of it had been given, and judiciously expended, the country would not now be in such a state. The question they had then before them was, the propriety of advancing 500,000*l.* more, in addition to the million already advanced, making 1,500,000*l.* in all. That was the question, and he thought the hon. Member for Bath had made out a clear case. As to the remarks of the hon. Member for Kilkenny, in which he attributed all the evils of Ireland, with the mere exception, of course, of the recent failure of the potato crop to the misgovernment of the country, he entirely agreed with him. He himself himself had stood up alone in the House twenty-five years before and had said so. He had brought his proofs before the House, but they had as little effect upon it as if he had cast them into the water. The majority was resolved to keep Ireland down. And he should say that he had no sympathy now for Irish proprietors, when he recollected, that it was they who had chiefly opposed him, and had said they were the persons who held the greater part of the land of Ireland, and they were accountable for it. They knew best what ought to be done for it, and their opinions ought to be taken as final. If the blame were justly due to Englishmen, he would say they ought to be severely dealt with; and if they could prove the fact against those who had caused the evil by their misgovernment and injustice, it ought to be visited upon them. But they had passed away. As to the future, he could not see why, if Irishmen had the same laws, and were taxed alike with Englishmen, Ireland should not be equally prosperous with England. The right hon. Gentleman the Secretary for Ireland had asked what alternative had been left the Government last year? He would answer that they had been advised not to disturb the industry of the country, to be cautious what they did, and to give no money except for labour. They had been advised not to apply the money and the labour to the making of useless and mischievous roads, but to expend them upon the cultivation of the soil, and the improvement of the land. On these grounds he would support the Motion of his hon. Friend. He understood that it was his hon. Friend's intention to take the sense of the House on the subject, and in that case he would certainly divide with him. He took it for granted that his hon. Friend had pointed out an unjust and unfair state of things in the condition of Ireland, and he should be glad to hear any reason stated why that state should continue.

Sir R. PEEL: There is one part of this important question which has not yet been discussed; and if we should proceed to its full and complete discussion, I do not see any reason to believe that we should very soon get into Committee on the Bill. Eight or ten nights' debate would be hardly sufficient for such a purpose. My own opinion is, that neither is this the fitting occasion for discussing the general fiscal burdens borne by Ireland, nor the time at which we could advantageously consider any proposition for their increase. I do not think that this is a convenient time to occupy our attention with questions respecting that proportion of general or local taxation which Ireland is called upon to bear; but that we should, on the contrary, labour to discover and put into practice the best modes of giving to the population of that country sufficient employment and relief. It is impossible for any one not to perceive that the question before us is a question of the very highest importance. What is it that the hon. Member proposes? It is this: that before we advance certain sums by way of loan to the landlords of Ireland, for the purpose of enabling them to improve their estates, and in that manner give employment to the people, we should enter into a resolution to this effect, that—

> "Any plans of relief for the distress of the Irish poor by means of loans to the owners of property in Ireland, would be unjust and impolitic, unless accompanied by a system of taxation which would subject such property to the burdens already imposed upon all property throughout Great Britain."

These are the words of the hon. Member's Motion. Now, if I assent to that proposition in a manner however unqualified, the real practical difficulty will not, by any such vote, be solved. In the first place, I should, by subscribing to that proposition, declare that the land in Ireland should in future be subjected to the same burdens as were borne by the land in Great Britain. But I am not sure that the burdens borne by property in Scotland are identical with the burdens which property bears in England and Wales. Which will you select? Will you take the burdens as they are here, or as they are in Scotland? The Bill proposes to grant certain sums by way of loan to the proprietors of certain lands in Ireland. Surely, to propose the imposition of certain additional burdens upon these lands, is not the most expedient mode of following up that proposition. The hon. Member for Montrose appeared to be alarmed at the fact, that at the present moment 700,000 men are employed by the Government upon the public works in Ireland; and, though in due time that number might be diminished, yet every one must feel that for the present it was a measure of great relief; and few persons, I imagine, will be disposed seriously to doubt, that the advance of loans to landlords, to be by them hereafter repaid, can prove otherwise than advantageous to the people of Ireland, as the means of employment and sustenance. The purpose of such loans obviously is to furnish the landlords with the means of cultivating and improving the soil, and therefore of giving to the people sufficient and continued employment. Then, I ask the House, is it desirable that Parliament, in granting those means, should accompany the grant with a declaration that—

> "Any plans of relief for the distress of the Irish people by means of loans to the owners of property in Ireland, would be unjust and impolitic, unless accompanied by a system of taxation which would subject such property to the burdens already imposed upon all property throughout Great Britain."

Now, I want to know how you propose to act upon that declaration? Suppose twenty land proprietors propose to borrow each 100,000*l.*; do you intend to impose the property tax upon each of those borrowers, and upon no other of the Irish proprietors? If not, what regulations do you mean to apply to those landed proprietors? I conceive that the Motion does not admit of any other construction. I wish to learn whether or not it is intended by this proposition to declare that the borrowers of these loans shall be subject to the income tax? ["Yes."] Those who receive the loans to the exclusion of others? ["No."] What can be the meaning of the proposition? Its words are these—that "unless the proposed loans be accompanied by a system of taxation, which would subject such property to the burdens already imposed on all property throughout Great Britain." Would it be just if ten individuals borrowed from the Government a sum of 100,000*l.*, that they alone, of all the people in Ireland, should pay income tax? Again, if only ten persons borrow, will you, for that offence of theirs, levy the income tax on all the people of Ireland? [Mr. ROEBUCK: Yes on all.] I must say, that by this way of treating the subject, you diminish the real importance of the question before the House. If we are to have the income tax in Ireland, let us have it upon great national grounds. If we make a property tax dependent on the advance of money to landlords for the improvement of their estates, I think we are not doing justice to the magnitude of the question. Discuss the question involved in the hon. and learned Member's proposition separately; let it be brought distinctly and substantially before the House. But to say that to make the application of the income and property tax to the Irish people depend upon the mere fact of advancing loans of money to particular individuals, is, I submit, calculated to prejudice the discussion of the principle of equalising the taxation upon each portion of the United Kingdom, and is not to do justice to the magnitude of the question itself. The House must observe that I am not now contesting the principle laid down by the hon. and learned Member for Bath. I know that the question is accompanied by many difficulties, and it ought not to be introduced in its present shape, but should be submitted to the consideration of the House by a substantive resolution, namely, whether the same burdens ought to be imposed upon Ireland as were imposed upon this country? I shall, however, never consent to a resolution making it a condition upon the borrowing of money under this Bill, that the income tax shall be imposed upon Ireland. I will reserve the power of considering the propriety of applying the income tax to that country when the subject comes properly before us. This question stands altogether upon a different ground; and we are diminishing the value of such an important subject by seeking to attach the principle to such a Bill as is now before them. In affirming such a proposition, by which it is intended to impose the income tax upon a certain portion of the Irish proprietors, I diminish the claims which I might otherwise prefer as to the property generally of that country. I need scarcely remind the House, that advances of money by way of loan for making turnpike roads in Ireland have been formerly made; and I see no reason why advances for the improvement of estates may not now be made without imposing an income tax at the same time. I will not say that we are precluded from going into this question of taxation at a future time, in any manner which circumstances may require. The principle of the measure now about to be considered will not be any bar to future arrangement, and to a consideration of the subject hereafter; in a fiscal point of view, I do not see any objection. I see no reason why we should not hereafter give a full consideration to the question; but I see very strong objections to prejudicing just views of the subject, and diminishing our chance of future arrangements. I object to deciding abstract questions, or raising difficulties which might have to be solved before we got into Committee. I am adverse to the discussion of abstract principles, though, as I have already said, I am perfectly ready to go into the whole question, but not in its present shape. I must, therefore, decline to give any support to the Motion of the hon. Member for Bath.

LORD J. RUSSELL: I stated so fully the other night my objections to the imposition of new taxes upon Ireland during her present circumstances, that I should hardly have thought it would be necessary for me to say anything this evening, had the hon. and learned Member confined himself to the subject of his resolution. But though he went out of that subject into others that had no connexion with it, he omitted many arguments that he might have used. He launched out, as the House must remember, into a variety of other subjects when he directed his observations against the Irish people, against the Irish proprietors, and against the Ministers of the Crown. The House has heard from the hon. Member several ingenious sarcasms, but yet they do not seem to have contributed much to advance the argument respecting the expediency of imposing an income or property tax on those Irish proprietors who may borrow money under this Bill. Every one will be ready to acknowledge that there are abundance of arguments upon that subject, which might be urged at great length if this were the proper time; but the only rational arguments which can be brought into this discussion, are such as naturally connect themselves with the state of Ireland. It is well known that while direct taxes were imposed upon Ireland, the indirect taxes levied in that country were less productive, and attention was called to this state of the subject by my noble Friend, Lord Sydenham, who very fairly accounted for that result by showing that the consumption of taxed articles in Ireland was cramped by the pressure of direct taxes. But among the statements made by the hon. and learned Member, there is one which I think shows that he entirely misapprehends the grounds on which I propose that the Bill now before the House, and the Bill for the permanent relief of the Irish poor, should pass together through this House. I do not propose that the measures should go together, because while we confer on the one hand what is considered a boon to the landed proprietors, we are entitled to impose a burden or a penalty on the other hand. That is not the ground on which they are put together; but because we think it is more desirable that the population, a great part of which will be unable to live in future on the produce of the small plots of potato ground on which they have hitherto subsisted, should find other means of occupation; and I know no better means of giving them that occupation than by encouraging the improvement of the land, and thereby increasing the employment of labour. I do think every measure which tends to increase the produce of the country, tends to employ the people at the same time. While this would be the effect of it, I doubt whether it would confer all the benefits which might be expected if it be not, at the same time, accompanied by a Bill which obliges the owners of property to support those who are starving. I believe that in laying this burden of maintaining their own poor on the landowners on the one hand, and on the other giving them the means of improving the cultivation of the soil, will cause them more readily to embrace every means of giving greater employment to labour than otherwise. On this ground it is most desirable that the Poor Law Bill should accompany the present Bill. With regard to that poor law, which imposes considerable burdens on the owners of property in Ireland, burdens which will amount to three or four times as much as they have hitherto paid, I must say that we ought to endeavour to enable the proprietors to bear those burdens. One of the best means is to enable the proprietors to obtain loans on terms which they would otherwise be unable to get, by the support of Government. Another mode is to enable the landed proprietors whose rents are eaten up by mortgages to sell part of their lands, and place themselves in the position of having smaller nominal incomes, but incomes free from incumbrances; while the persons who purchase the land enable it to bear the burdens imposed on it by the application of capital and improvements. I think that all these improvements should accompany each other; and I look for considerable beneficial effects from their united action. I will not touch on the various other subjects which have been alluded to; but I will state to the House what is now doing with respect to the Labour-rate Act. The hon. Member for Montrose (Mr. Hume) has just expressed great alarm at the fact that 700,000 persons are employed on the public works. I should not have felt myself justified, neither could the Government of Ireland, in stopping the employment of the people in their present state of destitution, until some other means of support were provided. But measures having passed the House for the temporary relief of this destitution, the Government will be enabled to reduce the numbers on the public works; and indeed, as appears from a letter received by the Secretary of State, the numbers are beginning to be greatly diminished. The neglect of the tillage of the soil has been much spoken of, but I do not think any great harm has yet been done; at the same time, no doubt, this is the time that the ploughing and sowing ought to take place. This is the favourable time to get the labourers off the public works; and, perhaps, the House will feel some interest in a portion of a letter which I will read, from a person whose name I will not quote, but who is thoroughly acquainted with the condition of Ireland, and that of the poorer classes in that country. [The noble Lord read an extract from the letter to which he referred, in which the writer observed, that during the last twenty years the potato deluge had swept away from Ireland all other food, but he had now the satisfaction to state that joint-stock companies were in course of formation which issued printed instructions for the cultivation of oats, barley, and potatoes, and that the sowing and planting of these was now proceeding very rapidly. It was true that the very destitute could not plant potatoes extensively; but many persons above want were at the present moment planting potatoes largely with a view to profit in the course of the next winter, and that in the meanwhile the population, viewing this grievous calamity as one of the dispensations of Heaven, bore with resignation the sufferings which they were called upon to endure, and, in patient reliance upon the mercy of Almighty God, that most religious people bore the extremity of famine with exemplary patience and fortitude.] That letter is written in a spirit with which it is impossible not to sympathize. When the writer speaks of the resignation and patience with which the people of Ireland have endured their sufferings, he does them no more than justice. I think, then, that upon a subject such as this, our bickerings ought to cease. The English have their faults and their virtues, the Irish have faults and virtues of a different kind. Our duty, then, is to cherish each other, and mutually render the support which circumstances may demand, without seeking to decry or depreciate just claims on either side.

Mr. SMITH O'BRIEN said, he did not rise for the purpose of bandying compliments with the hon. Member for Bath. He believed that nothing would gratify that hon. Member more than showing him that his speech had ruffled his (Mr. S. O'Brien's) temper; and so far from such being the case, he was rather inclined to thank the hon. Member for the ardour which he had devoted to promoting a cause which he (Mr. S. O'Brien) warmly advocated. He believed the hon. Member had done more latterly to advance the repeal question than any other individual whatever. He did not think, however, that he was at liberty to pass in silence a challenge that the hon. Member had thrown out. The hon. Member spoke of the advocates for repeal coming of late with bated breath and whining tones, asking England for a continuance of the Union. He utterly repudiated any such notion; and, on the contrary, he would say that every hour of this awful year, and every day that he sat in that Parliament, only convinced him more and more of the necessity of a domestic Parliament for Ireland; and he would peril all he was worth in the world to obtain a repeal of the Union next week. As to the question before the House, he should tax the noble Lord and his Colleagues as being the cause why they had not an efficient poor law for Ireland. In 1837, 1838, and 1843, he divided that House on the subject of out-door relief in Ireland, but he was on each occasion outvoted by overwhelming majorities. He was as willing as the hon. Member to maintain that property had its duties, as well as its rights; but he believed that Irish proprietors during the present season had done more than ever was done in this country. After all, who were the landed proprietors of Ireland? As had been well said in a recent publication, they were "the Saxon civilizers" of Ireland. When the hon. Gentleman talked of the Mallow landlord, who gave that food to keep his seventy hounds that ought to have maintained the people, he was fully prepared to join the hon. and learned Member in holding such persons up to the execration of the people. He was also prepared to pronounce the utmost amount of censure his expressions could convey on the board of guardians of the Castlebar union; but, at the same time, he could not shut his eyes to the fact, that in other parts of Ireland the greatest possible exertions were being made by boards of guardians and persons engaged in administering relief, often at the risk of their lives. Yet, when he heard such sweeping charges as were sometimes made in that House, and which were frequently to be seen in the papers, he almost doubted whether he ought to be ready to yield to the people of England that claim for magnanimity which the hon. and learned Member had attempted to place in so strong a light. He would, however, now come to the financial question; that which the hon. and learned Member had so studiously avoided, confining himself to sarcasms, and vituperation of the Irish landlords, in preference to discussing directly the question which he professed to have brought under the notice of the House. He thought the hon. Member for Kilkenny, indeed, had acted wisely in abstaining from going into that question, but postponing it to a future opportunity, as one not likely now to interest the House. Without entering at large into the subject, he might say that the national position of Ireland as to finance was this, that at the time of the Union England owed 446,000,000*l.* national debt, while Ireland owed only 28,000,000*l.*; and there was a difference of taxation, in consequence of the debt of England, of between 15,000,000*l.* and 16,000,000*l.* sterling. Ireland saw no reason why, as the poorer country, she should be called on to pay for the consequences of the Act of Union. If the hon. and learned Member could show a fallacy in that argument, let him point it out; but he had not yet heard the question solved by any class of statesmen in that House. Let Ireland, he maintained, manage her own finances. Let Ireland pay the interest of her own debt. Let the people of Ireland be placed on this footing, and they would then at once get rid of the insolence of one class of the people of this country, and the benevolent feelings of the other.

MR. D. CALLAGHAN felt compelled to notice what had fallen from the hon. and learned Member for Bath, as to a conversation he had had with two gentlemen whom he called Roman priests. [Mr. ROEBUCK: Roman Catholic priests.] Roman Catholic clergymen was the usual designation in this country, and there was something offensive in the other phrase as so applied. However, he had had the pleasure of seeing both those gentlemen, and he could bear testimony, equally with the hon. Member for Kilkenny, to the uprightness of their character. Those gentlemen had not come over as a general deputation, but for the purpose of stating and urging the claims of the poor of Ireland to extended relief. They had taken occasion to state what they considered to be instances of peculiar hardheartedness in some gentlemen in their particular neighbourhood. They had stated to him one case, in particular, of a gentleman at Mallow; and he (Mr. Callaghan) could have wished his hon. Friend who represented that town had said something on the subject, because it was more to his own immediate neighbourhood that the charge applied. Mallow was surrounded by small proprietors, who had also property scattered in different parts of the county of Cork and elsewhere; and with respect to the charge that those gentlemen had not come forward as they ought to have done, he (Mr. Callaghan) could state of his own knowledge that they had answered the demands made on them in other parts of the country where they held property. In the case of one of the gentlemen referred to, who was said to have kept his seventy dogs while the people around were starving, he could state that that gentleman had no tenants round Mallow, but he had inherited from his father a sporting lodge there, where he kept greyhounds for courses, and in good order; and certainly he (Mr. Callaghan) had felt that at a time when people were wanting food around, they ought not to have been so kept. But, on the other hand, this gentleman had not 100 acres in the parish. He had property elsewhere, but not to one-half the extent he was supposed to have; and he could assert from his own knowledge that in his own place there was not a more respectable character than that gentleman, or one who more largely contributed to the relief of the poor. Another case was spoken of, where a gentleman was stated to have seventy-two hounds under similar circumstances. That gentleman did not live within eighteen miles of Mallow; he lived near Fermoy; and had always kept horses and greyhounds for his own use. At the same time, no man had subscribed more liberally than he had done to the poor relief fund. [Mr. ROEBUCK: At Mallow?] No; he had no property at Mallow, therefore, he was not called on to do so there. He had felt it due to the gentlemen in question to make these explanations; and, as to the hon. and learned Member for Bath, it was not for him (Mr. Callaghan) to criticize his conduct in that House; but people out of doors asked what could be the motive of it? He would, however, state a fact which had occurred during this Session. He happened to be sitting by the hon. and learned Member for Bath, after the hon. and learned Member had been subjected to some observations by the hon. Baronet the Member for Waterford. An hon. Member came up and sat by him (Mr. Callaghan), saying to the hon. and learned Member for Bath, "Roebuck, did you hear what Barron said of you?" "Yes, I did;" said the hon. and learned Member for Bath. "Well, then, they'll be all at you, one after the other," answered the hon. Member who had joined. "Well," said the hon. and learned Member for Bath, "I have only one answer for them. I'll give them an income tax." When he heard the voice of the hon. Member beside him, at first he thought his ears must have deceived him; but, on turning round, he saw that he was no other than an hon. Gentleman who sat in that House in a Quaker-cut coat and a broad-brimmed hat. Sitting so close to them as he was, he was compelled to hear what passed; but, at the same time, he felt surprised to see any man called himself "a friend of peace" coming over and exasperating the hon. and learned Member for Bath, after such an attack had been made on him.

LORD G. BENTINCK: Although I listened with great attention to the speech of the hon. and learned Gentleman the Member for Bath, I must confess I did not hear one good reason, nor a single sound argument, calculated to show how it could be either unjust or impolitic, or to whom it would be either unjust or how impolitic, to go into Committee upon the Landed Property (Ireland) Bill, without first having made it a condition that such proposal for the aid of the land of Ireland should be accompanied by a system of taxation which would subject the property in that country to the same burden of taxation which is borne by the property of Great Britain. I think the Landed Property (Ireland) Bill an excellent measure in itself, and I think the principle a correct one, to give good security to the Government and to this country that no money should be lent for improvements in Ireland unless there be a certainty of repaying the whole of the principal and interest; and so long as no risk is incurred, I cannot think that this country can be injured by developing the resources and increasing the national wealth of Ireland. For, Sir, we cannot increase the wealth of the Irish people, nor give employment, without improving the land, without adding considerably to the revenues of this country; and, so far from thinking it politic to refuse the aid of Government loans to the landlords of Ireland for the improvement of their property, I greatly regret it is not carried still further, and that, instead of spending 8 or 10,000,000*l.* upon what have been termed useless works of idleness, we are not about to expend a much larger sum in the way of advances on loan for permanent improvements in Ireland. I am of opinion that the English nation in general differ altogether from the doctrine laid down by the hon. and learned Member for Bath, and that, although malice may cavil at that which is directed to promote the good of others, that such will not be in accordance with the feelings nor the sound good sense of Englishmen generally, and that they will greatly rejoice at any opportunity that will enable them, without serious loss to themselves, to improve the property of Ireland. It is only within the last few days I received a letter (I wish I had it by me now) from the Inspector General and Engineer of the Parliamentary Commission for the Public Works in Scotland, in which he stated that it was impossible to estimate the blessings which the Million Act had caused during the present distress in Scotland, and that the employment afforded the poor and the improvement to the estates affected by it was beyond all calculation. Such, I am informed, have been the results in Scotland; and I think if the Million Act for Ireland had not unfortunately been withdrawn last year, the calamity which is at present so much to be deplored would not have occurred, and we might now have seen an extension of similar blessings to Ireland. Mr. Mitchell, the Parliamentary inspector and engineer, in the letter to which I have made allusion, further stated that he could almost trace the poverty and all the direful effects of famine by the limits to which grants of money had been advanced by the Parliament of this country to Scotland. Looking, therefore, to the benefits which have accrued to Scotland, I think we have a fair right to suppose that by similar advances of money to Ireland, similar beneficial results will arise; that we shall see the people in that country employed—stimulated to industry — stimulated to earn honest wages, and rescued from that state of idleness and laziness of which some persons complain so much. For these reasons, and with the hope that such beneficial results may be attained, I heartily approve of this measure. I think it a good measure, standing by itself, and seeing no wisdom or sense in the resolution proposed by the hon. and learned Member for Bath, I will support the original Motion that you now leave the Chair, in order that we may go into Committee.

Mr. B. ESCOTT said, it surprised him to hear the noble Lord opposite (Lord G. Bentinck) say that he had not heard any sound argument to induce him not to go into Committee on the Bill; but when he called to mind the course which the noble Lord had taken upon a recent occasion, he was not surprised that he should seize with avidity and support any measure having for its object the grant of a large sum of money to be expended in Ireland. But if the noble Lord had listened to the speech of the right hon. Gentleman two seats above him (Sir R. Peel), and the right hon. Gentleman opposite, the Chief Secretary for Ireland (Mr. Labouchere), he would have heard more than one argument adduced why the resolution proposed by the hon. and learned Gentleman should be considered previously to going into Committee. Both right hon. Gentlemen had said that there was an honest and just principle involved in the resolution; and neither of them had endeavoured to contend against the existence of such a principle. But many hon. Gentlemen who were now, who had been, or who might be again Ministers, with an adroit eagerness, exclaimed that the present was not the time to enter into the consideration of the great principle involved. Every one who met the question fairly admitted it was a great principle—no one appeared to deny that, for every one knew that the people of this country were willing to give the people of Ireland an equality of rights; but at the same time they expected Ireland to bear an equal portion of the general burdens. It was maintained that the present was not the suitable time to discuss the propriety of placing an equal burden upon Ireland; but was not the object of the Bill to give a million and a half to that country; and could there be any fitter time to consider whether the taxes by which the money was to be raised should not be equalized and fairly borne by the two countries? He begged to inform the noble Lord the Member for Lynn that if he thought the people of England agreed with him in his view of this matter, he was as egregiously mistaken and ignorant as when he thought he could induce them to give sixteen millions to raise certain bankrupt railway concerns to a premium in Ireland. The noble Lord the First Minister of the Crown also expressed it as his opinion that the present was not the time to go into the general question of equalizing the burdens on Ireland; and that declaration reminded him of a story which the noble Lord had told them two years ago, when he was in opposition, and pressing on the House a great scheme, which had much justice in it, and a portion of which he (Mr. Escott) hoped to see carried into operation at no distant day. On that occasion the noble Lord was met by some hon. Gentleman who did not wish to argue against policy and justice, but contended that the time had not arrived for discussing the principle of the general question; and he told us the story of a foreigner, who after listening to the debates in that House, made an observation on quitting the building: "No doubt," said he, "you are a very wise and learned people; no doubt you are an example to the civilized world; but give me leave to say, of all the people I ever met with, you are the most superstitious; for you don't meet facts by arguments; you do not attempt to oppose propositions, but you are always saying to one another, 'This is not the proper time!'" And now the noble Lord found it convenient to take the very same course which at that time he ridiculed. He declared the present was not the proper time; yet at the very period when he was about to add a million and a half sterling to the eight millions which he had already borrowed, he refused to enter into a discussion as to whether they ought to equalize the taxation of the two countries. Hon. Gentleman from Ireland maintained they were already taxed in an equal proportion, and that they had documents which would prove it. [Mr. J. O'CONNELL: Hear, hear.] The hon. Member for Kilkenny cheered him; yet he would take leave to ask the hon. Gentleman when the proper time (in his estimation) would arrive in which to discuss the question of relative taxation—how long the Irish people would live on English charity and English dole—and how many millions they would require to meet their necessities? The English people were ready and willing to do all that could be expected of them to mitigate the distress in Ireland; but when they were told that there was an immense amount of property in Ireland, the owners of which would not extend their charity, and refused to pay their quota to the general fund, then they thought it was time to cast up the account, and see whether they could not compel them to do so. There could not be any more fitting time than the present, when a great demand was about to be made upon the fiscal resources of the country. He rejoiced that the time was not very far distant when the people of England would take these matters into their own consideration—ascertain who supported the principle of equal justice between both countries—who wished for payments to Ireland out of the hard earnings of the English people, whilst the proprietors were untaxed: and visit upon those who resisted the present Motion either their sense of their conduct, by depriving them of the power in future Parliaments of mis-spending the public money, or send them back better prepared to do that justice which was denied to England and to Ireland in the present.

MR. MONCKTON MILNES felt bound to say that he could by no means agree with the hon. and learned Member for Bath in the period which he had chosen for inviting discussion upon the question of equalizing taxation. The time which the hon. and learned Member selected for inquiring into the equality of Irish and English taxation—the moment which he thought right to select for the consideration of such a subject, was a moment of the greatest calamity which had ever fallen upon a civilized nation. The moment in which the hon. and learned Gentleman wished to inflict an additional burden upon the Irish people, was a period at which the landlords were unable to obtain payment of their rents, and in which the poor law was wholly inadequate to meet the requirements made upon it, or to supply a remedy for the evil. Such a period was that in which the hon. and learned Member had chosen to bring forward his unwise resolution—a period which he hoped all men would agree in thinking was not that in which the House had time to discuss a purely abstract proposition. The hon. Gentleman opposite (the Member for Winchester) had said that the people of England would take this matter into consideration. They had taken it into consideration by the public sympathy which they exhibited—by their generosity and by their charity—by their collections in hamlets and vicarages, and among the poor scholars and labourers of England. All this showed that they had taken it into consideration, and in a far more wise and humane manner than that adopted by the hon. and learned Member for Bath. The principle expounded by that hon. and learned Gentleman, if a correct one, had been vitiated by the manner in which it had been brought forward; for the question had been put in such a false position that they could not discuss it. At the present moment, when there was abstracted from Ireland by the will of Providence fourteen or fifteen millions of money value, they could not enter upon a discussion in order to decide a question of taxation. His hon. and learned Friend was spoiling a great principle. If he had waited until the present awful visitation had passed away from Ireland—until she had recovered from the shock of the calamity which was now descending upon her—they would have been able to treat the entire question with more gravity and patience than they could hope to do now. With these views he implored his hon. Friends, who might be disposed to give the Motion their support, and the Government, not to mix up the two questions—not to mix up a temporary and adventitious state of affairs with the general and, he hoped, what would ultimately prove the prosperous state of Ireland. It would be far better to take questions of such grave importance separately, and wait until Ireland was restored to well-being: then he was sure they would all be ready to raise what the right hon. Baronet the Member for Tamworth (Sir R. Peel), called a social foundation for a new state of things in Ireland — the difficulties attending which they could not measure distinctly, but which the wisest statesmen, with all the intelligence and ability they possessed, had not, as yet, been able to overcome.

Mr. MUNTZ said, the hon. and learned Member for Winchester, and the right hon. Gentleman opposite, seemed to make a mistake in charging the noble Lord (Lord G. Bentinck) with not having understood the nature of the proposition of the hon. and learned Member for Bath. It appeared to him that the noble Lord had agreed with both the hon. Gentlemen on the subject of the proposition; and so did he. The hon. and learned Member's speech was a very able one; and if he brought forward the Motion in a substantive shape, he should feel bound to give it his support. He had not heard a single sound reason urged why Ireland should not be called upon to pay her proportion of the expenses of the country; but he must, at the same time, say he thought that the present was not the period for bringing forward a Motion of this kind, because it did not apply. The question involved in the measure before the House, was not one of making a gift to Ireland; it was a question of granting a loan to that country on certain security. With respect to applying a property tax to Ireland, he recollected, when a renewal of that tax was proposed for England, that the Irish Members supported it as being a very excellent tax; and he saw no reason whatever why Irish property and income should not be taxed as well as those in England. In the present instance he would vote against the Motion of the hon. and learned Member for Bath; but if it was brought forward at any future time as a substantive proposition, he would give it his support.

Mr. S. CRAWFORD was ready to acknowledge that the pressure upon the Irish landlords was very heavy at the present moment; but the question was, whether Ireland ought not to pay her fair share of the taxation of the United Kingdom; and he saw no reason why she should not. He thought Ireland should be relieved as suffering from a great national calamity; but he would not shrink, at the same time, from the opinion that Irish landlords ought to pay their fair proportion of taxation, and he did not see why they should not pay a fair proportion of the income tax. He could not vote away the money of the people of England to relieve the distress of Ireland, without affirming that principle. For these reasons, he could not do otherwise than vote for the Motion of the hon. Member for Bath.

Mr. R. YORKE recognised the principle propounded by the hon. and learned Member (Mr. Roebuck); but it would be most absurd, in his opinion, for the House to give 8,000,000*l.* to the people of Ireland on one hand, and, on the other hand, to propose taxes which would involve that country in universal difficulty. He should give a conscientious support to the proposals of the Government.

Mr. JAMES: The Irish Members said this was not the right time for the present Motion; but he agreed with the hon. and learned Member that it was always the right time to do justice. He hoped the proposition now before the House would one day, if not at the present moment, be carried into effect.

The House divided on the Question, that the words proposed to be left out stand part of the Question:—Ayes 121: Noes 26: Majority 95.

List of the Ayes.

Acland, Sir T. D.
Adderley, C. B.
Arundel and Surrey, Earl of
Baillie, H. J.
Baine, W.
Bannerman, A.
Barclay, D.
Barnard, E. G.
Bateson, T.
Beckett, W.
Bellew, R. M.
Bennet, P.
Bentinck, Lord G.
Beresford, Major
Berkeley, hon. Capt.
Bernal, R.
Blake, M. J.
Blakemore, R.
Bodkin, J. J.
Browne, R. D.
Browne, hon. W.
Buller, C.
Bunbury, W. M.
Busfeild, W.
Butler, P. S.
Byng, rt. hon. G. S.
Callaghan, D.
Carew, hon. R. S.
Chapman, B.
Christie, W. D.
Chute, W. L. W.
Clerk, rt. hon. Sir G.
Coote, Sir C. H.
Corry, rt. hon. H.
Courtenay, Lord
Craig, W. G.
Dawson, hon. T. V.
Duckworth, Sir J. T. B.
Dundas, Adm.
Dundas, Sir D.
Evans, W.
Ferguson, Sir R. A.
Fitzgerald, R. A.
Fox, C. R.
Frewen, C. H.
Fuller, A. E.
Gibson, rt. hon. T. M.
Gore, M.
Gore, hon. R.
Goulburn, rt. hon. H.
Greene, T.
Gregory, W. H.
Grey, rt. hon. Sir G.
Grogan, E.
Halford, Sir H.
Hamilton, G. A.
Hatton, Capt. V.
Hawes, B.
Heathcoat, J.
Henley, J. W.
Hobhouse, rt. hon. Sir J.
Hope, Sir J.
Howard, P. H.
Hutt, W.
Jervis, Sir J.
Jones, Capt.
Kemble, H.
Labouchere, rt hon. H.
Langston, J. H.
Lawless, hon. C.
Lefroy, A.
Lemon, Sir C.
Lincoln, Earl of
Lockhart, W.
Macaulay, rt. hon. T. B.
Macnamara, Major
M'Donnell, J. M.
M'Taggart, Sir J.
Maule, rt. hon. F.
Maxwell, hon. J. P.
Milnes, R. M.
Mitcalfe, H.
Monahan, J. H.
Morpeth, Visct.
Mundy, E. M.
Muntz, G. F.
Norreys, Sir D. J.
O'Brien, C.
O'Brien, W. S.
O'Connell, D.
O'Connell, J.
O'Conor Don
O'Ferrall, R. M.
Owen, Sir J.
Parker, J.
Peel, rt. hon. Sir R.
Polhill, F.
Price, Sir R.
Prime, R.
Rawdon, Col.
Rich, H.
Ross, D. R.
Rushout, Capt.
Russell, Lord J.
Rutherfurd, A.
Scrope, G. P.
Seymour, Lord
Shaw, rt. hon. F.
Sheil, rt. hon. R. L.
Somerset, Lord G.
Somerville, Sir W. M.
Spooner, R.
Stuart, W. V.
Strutt, rt. hon. E.
Troubridge, Sir E. T.
Vesey, hon. T.
Ward, H. G.
Wood, rt. hon. Sir C.
Wrightson, W. B.
Wyse, T.
Yorke, H. R.

TELLERS.

Hill, Lord M.
Tufnell, H.

List of the Noes.

Bouverie, hon. E. P.
Bowring, Dr.
Brown, W.
Collins, W.
Copeland, Ald.
Crawford, W. S.
Dennistoun, J.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Entwisle, W.
Escott, B.
Gill, T.
Hall, Sir B.
Hay, Sir A. L.
Heron, Sir R.
Humphery, Ald.
James, W.
Molesworth, Sir W.
Mure, Col.
Plumridge, Capt.
Protheroe, E. D.
Stansfield, W. R. C.
Strickland, Sir G.
Trelawny, J. S.
Williams, W.

TELLERS.

Roebuck, J. A.
Hume, J.

House went into Committee.

On Clause 4.

Mr. HAMILTON moved the introduction of the words he had given notice of, namely, planting, tile works, limekilns, farm bridges and gates, mills for scutching and preparation of flax, mills for the crushing and preparation of rape and linseed. In doing so, he said, with the exception of planting, he had confined himself to objects which were intimately connected with the improved culture of the land as well as with the employment of the people. The noble Lord at the head of the Government, in the course of the evening, had stated that the small cottiers of Ireland must henceforth look for other means of support; and the right hon. Baronet the Member for Tamworth had admitted the primary object of the Bill was the employment of the people. Now, the purposes to which he proposed to extend the Bill, were precisely of that nature. Nothing could now be more important than the culture of flax; it was equally profitable, and gave employployment to the people. He hoped the Amendment would not be objected to.

The CHANCELLOR of the EXCHEQUER said, the principle of the Bill was to afford means for improving the productive power of the land; and the only exception to a strict adherence to that principle was to be found in the permission given under this clause to apply advances to the erection of corn mills. Considering the present state of Ireland, and the scarcity in that country of mills for grinding corn, the Government had thought themselves justified in making this exception. If, however, they were to accede to the Motion of the hon. Gentleman, and to allow advances to be applied to the production of manufactured articles, they would depart altogether from the principle of the Bill.

Mr. VESEY supported the Motion of the hon. Member for Dublin University (Mr. Hamilton), and expressed his belief that nothing would have a greater tendency to promote the cultivation of waste lands in Ireland than the establishment of limekilns and tile works.

The Earl of LINCOLN agreed with the Chancellor of the Exchequer, that it would not be advisable to adopt the Motion of the hon. Member for the University of Dublin. The object of this Bill was twofold—to provide employment to meet the distress existing in Ireland, and to increase the power of production of the soil of that country. It was absolutely necessary that a line should be drawn somewhere; and he considered that the best plan was to limit the operation of this Bill to such works as could be executed by unskilled labour. The sum allowed for carrying out this measure was so limited in amount that it was hopeless to anticipate that any effectual advantage could be gained from extending the Bill so far as was proposed by the hon. Member for Dublin University. He begged to call the attention of the Chancellor of the Exchequer to one proposal contained in this Bill, which he considered open to strong objection. It was intended, by the seventh clause, to give to persons holding land, and who were, in fact, merely tenants, the power (without the knowledge or consent of the landowner) to borrow money from the Government for the erection of farm buildings. By a subsequent clause power was given to the Government, if the advances were not duly repaid, to enter upon the property, and to sell, in order to provide for their repayment. In some parts of Ireland, as many hon. Gentlemen were aware, there was a great disposition on the part of landholders to build houses and farm buildings on a very large scale; and, under the Bill as it at present stood, property might be seized for the repayment of loans, the application of which had deteriorated rather than improved that property, so far as the landowner himself was concerned. He thought it right to call the attention of his right hon. Friend to this point, for, in his opinion, it afforded a strong argument against any extension of this clause.

Mr. SHAW considered that the establishment of tile works and limekilns in Ireland would tend very materially to the improvement of land; for they would invariably find, in travelling through that country, that where limekilns were numerous the property was improving in value.

Mr. SMITH O'BRIEN expressed a hope that the Chancellor of the Exchequer would not object to such an extension of the clause as would allow loans to be applied to the erection of limekilns and tile works.

Sir D. NORREYS observed that, if the House had confidence in the Public Works Commissioners, he thought they ought to leave to them the discretion of judging what measures would best conduce to the permanent improvement of the land. The hon. Member for Bath (Mr. Roebuck) had complained at an early period of the evening that he (Sir D. Norreys) had published a letter in the *Morning Chronicle* of today. He regretted that that hon. and learned Gentleman was not now in his place; but he would only say that he thought any hon. Gentleman who did not wish to take up the time of the House in Committee, by entering at length into matters of dry detail, was fully justified in availing himself of the means he (Sir D. Norreys) had taken for expressing his views. His opinion on this subject certainly was, that the Bill was not sufficiently extensive in its character.

Colonel RAWDON thought it should be left to the Commissioners to determine what description of works were best calculated to effect the objects contemplated by this Bill. He considered that this measure was confined too exclusively to the improvement of land, without providing for the improvement of buildings upon the land.

Sir G. GREY said, that one principle of this measure was, that the improvements on which the loans to be afforded under this Bill were laid out, should be of permanent character. Now, tile works could not be regarded as works of a permanent nature. They might be erected merely in a temporary way, either for the purpose of improving an estate, or of providing bricks for sale; but there was no security whatever that the estate upon which they were erected would derive any permanent advantage from them. He thought, therefore, that it would not be advisable to adopt the Motion of the hon. Member for the University of Dublin.

The EARL of LINCOLN thought, as tiles were indispensable for draining, the encouragement of drainage would create such a demand for them as would insure a supply; they ought to leave something to private enterprise, and he hoped they would not extend the operation of the clause. If the suggestions of the hon. Baronet's (Sir D. Norreys') letter were acted upon, he was sure not merely a million and a half, but a hundred millions, would be required for Ireland. The sum being limited to the former amount, it would do more permanent good, applied to defined purposes, than if spread over a large surface in a way that would make its good effect imperceptible.

MR. HAMILTON said, it was of course useless to urge his Amendment against the feeling of the Committee; but he wished to explain to the Chancellor of the Exchequer that the mills he proposed to bring within the Bill were not what he had called speculative undertakings, for the spinning of flax; but mills for the preparation of the raw material, with that preparation of flax which was necessary to its sale as a raw material. The tile works and lime works were also essential to the very objects of the Bill.

Amendment negatived.

On Clause 6,

MR. GROGAN moved as an Amendment the insertion of the words, "Or any person empowered by law to embank and reclaim lands from the sea." The companies engaged in reclaiming lands from the sea deserved encouragement; they employed much unskilled labour, which was the object of the Bill.

The CHANCELLOR OF THE EXCHEQUER objected to the Amendment; it would divert the money applicable under the Act to those companies who had already received powers of raising money under their own Acts. It would be a still wider departure from the principle of the Act, than the proposition to erect spinning mills.

LORD G. BENTINCK thought these companies might receive such aid as owners of the land.

The CHANCELLOR OF THE EXCHEQUER did not consider they were owners; the proposal was, in fact, an amendment in the private Bills of these parties.

Remaining clauses agreed to. House resumed. Bill to be reported.

THE GALWAY ELECTION.

MR. SMITH O'BRIEN stated that he held in his hand for presentation a petition from certain electors of Galway, complaining against the election of the hon. and learned Gentleman opposite (Mr. Monahan). The hon. Member proceeded at some length to observe that the present was the last day upon which the petition could be presented, and the prayer of it was that time might be allowed to amend the recognizances and the affidavits of the sureties. By the recent Act which had been passed with respect to disputed elections, it was necessary that the recognizances should be presented to the examiner, whose duty it was to ascertain that they were made out in the prescribed form, and to endorse them, if they were found to be within the provisions of the Act. In the present case the affidavits of the sureties, Messrs. Thomas Francis Meagher and Charles Gavan Duffy, were objected to by the examiner, on the ground of a flaw, viz., that they swore they were worth the sum of 500*l.* each, whereas they should have sworn that they were seised and possessed of property to the extent of 500*l.* The question at issue, then, was, whether "worth 50*l.*," was similar to being seised of an estate of the value of 500*l.* He had been told that it was, and that the recognizances could be put in suit under those circumstances; and believing that all indulgence ought to be extended in a case of this sort, where the time for completing the petition was so short, and the distance between the place of election and the metropolis so very considerable, he hoped the House would grant the prayer of the petitioners, and permit the time to be extended in order to amend the recognizances. The hon. Gentleman concluded by moving a resolution to that effect.

The ATTORNEY GENERAL apprehended that the House could not accede either to the prayer of the petitioners or to the Motion of the hon. Member for Limerick, for the decision of the examiner was declared by the Act of Parliament to be final and conclusive. The Act of 7th and 8th Victoria, c. 103, distinctly provided that the recognizances should be entered into within fourteen days, and that certain sureties should perfect their recognizances in a given form, and should swear that they were seised or possessed of real or personal property to the amount of 500*l.* The wording of the Act evidently contemplated that the possession should not be merely of a temporary character. The 14th section of the same Act expressly enacted that the decision of the examiner should be final and conclusive. He submitted, then, that the hon. Member for Limerick had no *locus standi*, and the indulgence prayed could not be granted by the House.

Mr. M'CARTHY thought it was mere special pleading to cavil at the construction of the word "worth," and its meaning as compared with the terms "seised or possessed." He hoped the House would consent to the Motion of his hon. Friend, and grant time to amend the recognizances.

Sir R. PEEL said, that he was the person who had introduced the Act alluded to, the main object of which was to prevent appeals to the House from the decisions of competent authorities. Two authorities had been appointed—one examiner of recognizances, whose duty it was to see that the recognizances were entered into in due compliance with the provisions of the Act; and the other a Select Committee; and in both cases the decision was made final and conclusive against all parties. This was done on purpose to exclude any party considerations being brought to bear on such subjects within the House. He thought the examiner of recognizances had acted properly in refusing the petition. The Act stated, that the object of the recognizance was to make the party subject to pain of from 500*l.* to 1,000*l.*, to be levied on his respective goods and chattels, lands, and tenements. It became necessary, therefore, that the party should swear, not according to his own discretion, that he was worth 500*l.*, but expressly that he was seised or possessed of real or personal estate equal to that sum, and above what would satisfy all his debts. A person might swear that he was worth 500*l.*, because another person might owe him that sum; but that was a different thing from swearing that he was actually seised of goods and chattels, or real property, enabling him to pay that sum. It was necessary, therefore, in order to comply with the intentions of the Act, that every person on entering his recognizance before the person by whom that recognizance was to be taken, should swear that he was seised or possessed of real or personal estate to the amount required. If the parties concerned did not do that, it was impossible that the House could entertain a petition such as the present. Nothing could be more dangerous than for the House to sanction such a laxity in its proceedings. The intentions of the Act and its design would be best inferred by those extrinsic authorities who were influenced by no party or personal considerations, and the House would be saved the odium of deciding questions of this kind by a majority. He (Sir R. Peel) must, for one, advise the House to decline assuming a jurisdiction which they had already transferred to another authority.

Mr. MORGAN O'CONNELL said, it was very unpleasant to discuss a question of this kind on such very short notice. His first impression was, that it was the best plan to have the debate adjourned; but the Attorney General having given so decided an opinion upon the matter, his (Mr. M. O'Connell's) intention was shaken in that respect. He thought, however, that the House ought to be cautious in deciding a matter of this kind hastily, because, in the first place, there was a great principle at stake; and, secondly, because, upon such a subject, the House were in danger of having their actions misconstrued. On these grounds, he was anxious that the further consideration of the subject should be postponed until the next sitting of the House.

Mr. SMITH O'BRIEN, in reply, said the giving in of the recognizances was only a preliminary proceeding, after which a day was generally appointed to examine whether the securities were or were not *bonâ fide*. On that transaction the decision of the examiner of recognizances would of course be final; but in this preliminary stage no damage could be done to either party. In point of fact, the House was now resting on a mere technicality in opposition to law and justice—a technicality which would be scouted in any court of law—for the purpose of preventing parties from being heard who had charged an officer of the Crown with corrupt practices. That was a proceeding to which the House of Commons should not be a party. He would not, after what he had heard, divide the House upon the question, but would throw on them the responsibility of rejecting the petition.

Motion negatived.

The House adjourned at Two o'clock.

HOUSE OF LORDS,

Tuesday, March 9, 1847.

MINUTES.] PETITIONS PRESENTED. By the Earl of Desart, from the Relief Committee of Callan, for the Adoption of a more extensive System of Railways in Ireland.—From Newtownards, for the Establishment of one uniform Poor Rate in every Union in Ireland.—By Lord Monteagle, from Limerick, for the Abolition of certain Oaths required to be taken by Parties entering upon the Duties of certain offices.—From Guardians of the Helmsley Union, for Repeal of the Poor Removal Act.

IRISH PROCEEDINGS.

The EARL of LUCAN said, that he was not in the House last night, when a noble and learned Lord (Lord Brougham) read a letter, relating to a part of Ireland with which he (the Earl of Lucan) was connected, which letter contradicted some observations which he had felt it his duty to make to their Lordships upon a former occasion relative to the issuing of certain processes in the county of Mayo. He trusted that their Lordships would not deem him out of order if he asked the noble and learned Lord whether he had any objection to give up the writer of the letter which he had read. He could positively declare that many statements contained in that letter were unfounded and incorrect. It appeared to him, that when a noble Lord read a letter *in extenso* in that House, he was bound to do one of two things—either to give up the name of the writer, or to make himself answerable for the contents of the letter. Now, he understood that, in the present instance, the noble and learned Lord refused to do either one or the other. He would take that opportunity of warning the noble and learned Lord not to adopt every statement he received or might read in a newspaper, and treat it as authentic. To his great astonishment he saw in *The Times* the other day, under the heading of " The Ministry and the Roman Catholic Clergy," some statements respecting himself. It might appear surprising that he should be dragged into a dispute between the Government and the Roman Catholic clergy; but it appeared that a body of the Roman Catholic clergy, assembled at Ballinrobe, on the 2nd of the present month, had agreed to a resolution which contained the following passage:—

> "That we could not furnish to the world a more striking proof of the melancholy scenes of eviction and desolation daily occurring in this country, and aggravating all the horrors of famine, than some of us have witnessed on our approach, this day, to the town cottages on the property of the Earl of Lucan, stripped of their roofs, and the poor inmates cast out on the streets, and bereft of the comfort of dying in their own houses. The village of Gallowshill, in which this occurred, has a name of historic and ominous celebrity, which still—what a singular coincidence!—perpetuates the tragic scenes of death."

Now, as it happened, he had not any property within two miles of the town of Ballinrobe. But the village of Gallowshill was particularised; and their Lordships might suppose, that though there probably was some exaggeration in the statement made respecting it, there could be no doubt that a portion, at least, of the village had been pulled down, and a portion of its inhabitants turned loose upon the world. It happened, however, that upon the very day when the Roman Catholic clergy met at Ballinrobe, he was at the village of Gallowshill; and he now declared, upon his honour, that not one house in it was touched, not one person evicted from it, nor had any proceedings of that kind taken place there, to his knowledge, for a great number of years. His object in referring to that circumstance was to warn the noble and learned Lord against giving implicit credence to every statement which he might receive.

LORD BROUGHAM assured the noble Earl that it was unnecessary to warn him not to give implicit credit to every statement he received, or every word which he heard. The degree of belief accorded by him would depend entirely upon the judgment and credit of the person who wrote, and on the judgment and credit of the person who printed. He was much disposed, because he knew the noble Earl, to believe the statement which he had now made; and if the matter were to be fully inquired into, and the other party should have an opportunity of explaining, he might, perhaps, believe him more implicitly. It was always desirable that a person whose statement was contradicted, should have an opportunity of offering explanation. For instance, Captain Wynne, in a letter, charged two Members of the other House of Parliament with having quartered on the labour-rate fund—that was, upon the public purse—tenants of their own who rented considerable farms. Those hon. Members got up one after the other, and said that there was not a word of truth in Captain Wynne's letter, received and printed by the Government. In consequence of the declarations made by the two hon. Members, the Government referred the matter to Captain Wynne; some sort of inquiry took place, and they received a letter from the gallant Captain, reaffirming his former statements. It was impossible to doubt that the Government were satisfied of Captain Wynne's veracity, because they had not removed him from his situation, which it would have been their bounden duty to do if he had sent them a letter full of falsehoods. Notwithstanding, therefore, all the hon. Members of the other House had said, he (Lord Brougham) was bound to believe Captain Wynne; and yet the denial of those hon. Members was just as complete as any denial which the noble Earl ever saw. Now with respect to his statements last night. He made two statements: one was of a general nature, referring to a county which he mentioned; but he did not mention the name of a single individual, nor did he give any indication or clue by which their Lordships could suspect who were the persons alluded to in his statement. He was not bound to give up the name of his informant. He stated what he believed to be true, because the information came from persons who he knew would not willingly deceive any one; and at the time he declared himself satisfied with the credibility of the persons who had written to him. If he had taken another course, as he might have done—if he had stated that he had been informed of such and such things, and that he believed the information, without alluding to the manner in which it had reached him, could any one have called upon him to give up his authority? If he had attacked individuals, that would have been another matter. In one statement which he made, seven or eight individuals were named, and in that case he gave up the name of his informant, together with his address and calling in life, that being the editorship of a newspaper. No part of the statement which he made yesterday cast any reflection on the noble Earl, and therefore he was surprised that he should call upon him to give up his informant. As to the noble Earl's warning, it was hard to say what ought not to be believed after what had happened in Captain Wynne's case.

The EARL of LUCAN: Since the noble Lord refuses to name his informant, he will perhaps state whether he is a respectable person and worthy of credit?

LORD BROUGHAM: I made a statement fitting for me to make, and proper for the House to receive; and neither the noble Earl nor the House has any right whatever to ask a Peer to come to the question in this way. I will not give an answer. [*An ironical cry of* "Hear!"] I beg to inform noble Lords who cry "Hear," that they show an utter ignorance of Parliamentary proceedings. Since I first entered Parliament, which I am sorry to say was not yesterday—I have heard, over and over again, Peers and Members of Parliament refusing to give up the names of their informants, stating merely that they believed the statements which had been made to them; and every one knows, that from the time of Henry III., when Parliament first assumed its form, downwards, common fame has been held to be a ground for statements made in Parliament and proceedings founded thereon.

The MARQUESS of LONDONDERRY presented a petition from Newtownards, complaining of the present mode of rating to the poor. As an Irish proprietor, he was perfectly willing that Ireland should have an efficient system of poor laws; but he considered that there ought to be a fairer mode of rating than existed at present. Before he sat down, he begged to congratulate himself, and he hoped he might also congratulate the noble and learned Lord (Lord Brougham), upon a fact which he hoped he would be indulgent enough to look to, and not continue his constant and eternal animadversions upon the landlords and people of Ireland—the fact, namely, that in the county with which he (the Marquess of Londonderry) was connected, the county of Down, the landlords had not asked a shilling of assistance from the Government, or a shilling from the presentment sessions; and that the tenantry had not applied to them for reduction of rent except in one single parish. He did hope that the noble and learned Lord would remember this fact, and not continue his sweeping attacks upon the landlords and people of Ireland generally. As an Irish proprietor, it was painful to him to hear such repeated statements against a body of men by many of whom in many districts they were quite undeserved. The difficulty, as had been observed by a near relation of his in the other House, was, that legislation adapted for one part of Ireland, did not apply to another. Yet the noble and learned Lord came forward with general statements, which were at all events totally inapplicable to those persons who had never asked the Government for a shilling, and to those parts of the country where the estates were well managed, and rents regularly paid. He alluded particularly to Ulster.

LORD BROUGHAM said, that if the noble Lord would insist upon being blamed whether he was blamed or not, he (Lord Brougham) could not help it. He had never said that all the landlords of Ireland were to blame; he had never made sweeping charges against them; on the contrary, he had confined himself to a few instances, and had expressed his hope and trust, almost his belief, that such cases were not general, and that they could not with justice be said to be general. But the noble Lord, nevertheless, got up from time to time, and said, "I will be accused, and nobody shall prevent it." It was the most extraordinary use of the words "will" and "shall" he ever heard of, except perhaps in the case of the man who said, "I will be drowned, and nobody shall save me." He (Lord Brougham) repeated, that he had never accused the Irish landlords as a body; but if the noble Marquess ever said again that he had done so, he would not deny it. The noble Marquess also complained that he did not give him information. Now, he was going to give him information, for he was going to move for a return of the names of the plaintiffs and defendants in all the processes for rent due at the 1st of November, 1846, which were brought to trial at the sessions of the 11th of January, 1847, held at Ballina, barony of Tyrawley, in the county of Mayo, with the orders made thereupon; also a return of all the processes for use and occupation of lands and tenements ending the same date, and for conacre for the harvest of 1846. With respect to what the noble Marquess had stated about the north of Ireland, he was glad to hear that that part of the country was in so favourable a condition; and as there was often a cry to have the full benefit of the legislative Union, and to have the same laws for Ireland as for England, he hoped that those landlords at least would not object to have the benefit of the same system of taxation as in England, particularly as regarded the assessed taxes, the income tax, and the land tax.

The MARQUESS of LONDONDERRY thought the noble and learned Lord had no right to occupy the time of their Lordships with bad jokes, ridicule, and sarcasms, in order to turn away their attention from his general declarations. He (the Marquess of Londonderry) appealed to the judgment of their Lordships if the noble and learned Lord had not made the Irish landlords a sort of general butt; and then he got up, and with his special pleading, his volubility, and his bad jokes, attempted to show that he had not. If the noble and learned Lord went on in this way, the end of it would be that nobody would mind what he said. If he made such attacks upon other persons as he had done upon the Irish landlords, the noble and learned Lord would find that they would leave him in the contempt which such attacks deserved. With respect to what the noble and learned Lord had said about certain taxes, he (the Marquess of Londonderry) begged to say, from what he knew of the loyalty of the people of Ireland, that they would cheerfully submit to any taxes which Parliament deliberately imposed upon them.

LORD BROUGHAM said, that with respect to the contempt in which it seemed he had fallen with that House and the country — so much so, that no person would listen or attend in the smallest degree to anything he said—he could not help it; it was the common lot of mankind, senators as well as others. He could not, of course, hope ever to receive or meet with the same reception as the noble Marquess received when he addressed the House; but he was satisfied with the reception he got; and, if he were satisfied, the noble Marquess had no right to complain. If what he said was so very contemptible, he only hoped and trusted that the noble Marquess would take the usual means of showing his contempt, which was by letting him entirely alone, and which he thought would be the more prudent, as it certainly would to him be the more agreeable reception to give to anything he said. The noble Marquess had accused him of special pleading, volubility, and bad jokes; but what he had said about the Irish landlords was no joke: he had stated facts, though he denied that he had attacked them. It seemed, however, that the noble Marquess would not allow him to know whether he had accused them or not; and he had appealed to their Lordships to decide whether or not he had done so. He (Lord Brougham) had a great respect for their Lordships' judgment; and if they, in their wisdom, should decide that he had not attacked the Irish landlords, that he had only mentioned a few instances, and given them a little advice, then that would acquit him; but if, on the other hand, they should convict him, by saying that he had attacked the Irish landlords, then he would follow the example of that body, and "cheerfully submit," as the noble Marquess said they were prepared to do to the income tax; which, by the way, was more than could be said for the people of this country, for they made many wry faces at it, and the longer it continued they liked it the worse. But such, it appeared, was the blessing of the legislative Union, that the people of Ireland would be delighted to have it, if Parliament should only think it necessary.

The Earl of LUCAN did not at all deny, or pretend to deny, that there had been many processes for rent; but the letter read last night by the noble and learned Lord, as to 1,500 or 2,000 processes of ejectment, was a most extraordinary exaggeration, for which, he believed, there was no foundation whatever.

The Earl of MOUNTCASHEL wished that a return should be also obtained in reference to the alleged eviction of 400 tenants in a part of the county of Cork which the noble and learned Lord had abstained from naming.

Motion agreed to.

Returns ordered.

House adjourned.

HOUSE OF COMMONS,

Tuesday, March 9, 1847.

Minutes.] Public Bills.—1° Agricultural Statistics. *Reported.*—Loan.

Petitions Presented. By Mr. W. Miles, from Shepton Mallett, and Mr. Broadley, from Filey and Muston (Yorkshire), against the Roman Catholic Relief Bill.—By Mr. W. Miles, from Wincanton, for Repeal of the Stamp Duty on Attorneys' Certificates.—By Captain Gordon, from Aberdeen, and from Goole and Kingsbridge and Salcombe, for the Reduction of Lighthouse Dues.—By Mr. T. Egerton, from Stalybridge, for Inquiry respecting Cotton (India).—By Mr. Dickinson, from North Curry, for a Day of Humiliation on account of the Famine in Ireland.—By Sir J. Y. Buller, from Torbay, against the Repeal of the Navigation Laws.—By Mr. E. Shirley, from the High Sheriff and Grand Jurors of the County of Monaghan, against Union Rating (Ireland).—By Mr. P. Scrope, from Mayo, and Mr. Bellew, from Guardians of the Poor of the Ardee Union, for Alteration of the Poor Law (Ireland.)—By Mr. Allix and other Hon. Members, from several places, for Repeal or Alteration of the Poor Removal Act.—By Mr. Ewart and other Hon. Members, from a great many places, for Abolition of the Punishment of Death.—By Mr. Duncan and other Hon. Members, from several Railway Companies, against the Railways Bill.—By Lord G. Bentinck, from several places, in Favour of the Railways (Ireland) Bill.—By Mr. Aldam, from Leeds, against laying the Burden on the Revenue for the Relief of Ireland.—By Mr. Brotherton, from several places, for referring National Disputes to Arbitration.—By Mr. S. Crawford, from Members of several Relief Committees (Ireland), for Inquiry into certain Charges respecting Captain Wynne.

PUNISHMENT OF DEATH.

Mr. EWART presented petitions for the Repeal of the Punishment of Death from a numerous meeting, one of the largest ever held, at Exeter Hall; from Liverpool, signed by 13,000 persons; another from Liverpool, signed by the stipendiary magistrate, and several of the other magistrates of the town and county; also petitions from Birkenhead, Exeter, Norwich, Chichester, Dorchester, Bridgewater, and many other places, as well as from meetings, and from congregations in the metropolis and elsewhere.

Mr. THORNELY also presented a petition from the magistrates and a large number of the respectable inhabitants of Liverpool to the same effect.

Mr. EWART then rose to bring forward the Motion, of which he had given notice, for the Total Repeal of the Punishment of Death. Seven years had now elapsed since it had been his lot to bring this subject before the attention, or rather before the patience, of the House. At that time the subject excited a strong interest; but it now assumed a far deeper and more earnest character. This appeared partly from the number of the petitions just presented, and the numerous meetings held throughout the country, partly from the altered character of the petitioners. Seven years ago, few of the clergy of the Church of England had given in their adherence to the principle of total abolition; now, a considerable number had done so. Many were willing to append their names to petitions, and to support at public meetings the Christian principle of repeal. The further spread of these opinions was to be inferred from the increasing difficulty which he understood to prevail of obtaining from juries verdicts which involved the punishment of death. One particular instance had been cited to him in which the verdict was directly against the facts. If so, their instrument of justice failed them. It might ultimately fall, enfeebled and useless, from their hands. Proceeding into the subject, he should avoid two views of it—the religious view, although he entertained as strong a conviction of the essentially un-Christian spirit of capital punishment as any man, and the theoretical view of the question. He would endeavour to argue it on practical grounds: first, attempting to prove that death-punishment was no longer necessary; secondly, that it was positively injurious. The most eminent writers, philosophical as well as practical, fixed capital punishment on the basis of necessity. Filangieri argued that it was originally based on the necessity of self-defence. But if society could defend itself without capital punishment, this plea of necessity vanished. A more modern, and a royal writer—distinguished by the mingled benevolence and reason which add the highest lustre to a Crown—the King of Sweden, had also laid it down that capital punishment could be justified by necessity alone. That most enlightened monarch had appointed a commission to inquire into the criminal laws of Sweden. In his own work, he stated that—

> "The Commission considers that capital punishment cannot be defended before the tribunal of reason and justice on any other grounds than its being found necessary for, and conducive to, the existence and objects of the State. But"—he significantly adds—"this necessity and applicability are doubtful."

Was then the infliction of this punishment necessary—he (Mr. Ewart) would use a stronger term, indispensable—in our own existing state of society? Had it not safely been dispensed with in less advanced and more dangerous states of society? Had the familiar reference to the mild justice and sound policy of the code of Leopold of Tuscany, abolishing capital punishment, ever been disproved? or the successful experiment of Sir James Mackintosh in Bombay, as stated by himself? or the less known, but equally favourable result of the late Lord Metcalfe's merciful criminal code in Delhi, recorded in the annals of the East India Company? He (Mr. Ewart) understood also on good authority—which extended to the year 1845—that the reign of the present Emperor of Austria was distinguished by the absence of capital punishment; yet, that the crime of murder in Austria had diminished. But the advocates of the maintenance of capital punishment took their stand on the last step of the scaffold; and, granting much in favour of mitigation, insisted on the absolute necessity of this punishment in the single case of murder. But, had they not urged also this same plea of necessity through each succeeding step of those various acts of mitigation which they first opposed, and now, it seemed, approved of? When it was attempted to abolish capital punishment for the stealing of sheep, of cattle, and of horses, and even of 5*l.* in a dwelling-house, there were those in the House of Commons who asserted its peculiar necessity in such especial cases. When it was hinted that even forgery need not be capitally punished, how many insisted on the necessity of protecting the moneyed interest by sanguinary laws? In almost every successive stage of mitigation the plea of the necessity for maintaining the punishment of death was urged against it. And yet such necessity was no longer felt since the mitigation was achieved. Might not the plea then be equally futile that capital punishment was necessary for the crime of murder? Its remission extended to cases on the confines of that crime, so nearly, indeed, that the line of demarcation was scarcely to be distinguished. Was it not, therefore, possible or probable that it might as safely extend even to that crime? On what reasonable grounds had their opponents shown that it should not? The only plausible distinction which they drew was, that, in the case of murder, there was a sort of *proportion* between the crime and the punishment of death. For his part, he could not see why the principle of proportion was not similarly, if not equally, applicable to other cases in which the punishment of death had been abandoned. He could not understand that it was anything else than the primitive law of barbarous retaliation—the short, simple, and easy doctrine of the *lex talionis*, so long, but now no longer, the royal road to punishment. Lord Bacon had justly described revenge as a "kind of wild justice." But this species of retaliatory justice was only a sort of deliberate and civilized revenge. He denied, therefore, that on the ground of "proportion," the retention of capital punishment was proved to be any longer necessary. But its necessity might possibly be proved from statistics. Reason not being strongly in its favour, refuge might be found in figures. Let them, therefore, meet the question on the debateable ground of statistics. Now, it was generally admitted that statistics might be found or fabricated on either side of an argument: they were, or they might be, two-sided instruments of Parliamentary warfare — like the oracles of old, they might utter, not the inspiration of the Deity, but the promptings of the priest. It was also admitted that statistical results often depended on the particular years included within a particular return. A year or two of distress, such as the years 1842 and 1843, might overthrow the entire basis of a calculation. Other causes, not permanent, but temporary, might sway the balance, and disturb the fair principle of calculation. But, he thought, the fairest principle to proceed on was, to take a certain number of years during which the capital punishment was inflicted, and a similar number of years during which it was dispensed with, and compare the results. He would first refer to a large class of crimes in general for which capital punishment had ceased; and next, to the crime of murder, for which alone, practically speaking, it was still retained. The first return, then, which he would cite, related to the first general class of crimes. Its date was May 22, 1846. It referred to seventeen species of crime punishable with death in 1830—the period whence the modern mitigation of our code might be deemed to date—it extended backwards to five years of capital punishment, forwards to five years of non-capital punishment, for those seventeen kinds of crime. The result was, that, during the five years of capital punishment, the total amount of crimes in those seventeen cases was 7,276; during the five years of non-capital punishment they fell to 7,120. This, too, notwithstanding the increase of the population. He thought this a fair comparison. In subsequent years, possibly, other causes might incline the balance one way or another. In one year it was better, in another worse. In the years 1842 and 1843, from distress, vast was the increase of crime. Last year, again, it had decreased, if he remembered right, eight per cent in general; and, in one particular case, in which it had before increased, and whence arguments against further mitigation had been drawn—the case of rape—it had decreased twenty-six per cent. So much for crimes generally. Now, for the crime of Murder. A return, moved for in 1841, giving executions and their results in successive periods of five years, showed that for the five years ending in 1825, 1830, 1835, and 1840, as the number of executions for murder diminished, the number of murders decreased. The number of executions fell from 76, in the five years ending in 1825, to 40, in the five years ending in 1840; while the number of committals for murder fell from 383, in the former five years, to 291, in the latter five years. In the same periods it would appear that the certainty of punishment increased; for the centesimal proportion of convictions to committals rose from 22·98 to 29·90. Another return, elucidating this subject—moved for, like almost all these returns, at the suggestion of a very highly valued friend of his (Mr. Wrightson), a gentleman who had written ably on the subject—was dated August 22, 1843. It comprehended periods of six years, from the year 1812 to 1843. As the capital punishments for murder decreased in the descending scale, the crime of murder appeared to decrease also. In the first period of six years, when the number of capital punishments was 122, the number of murders was 444. In the last of the periods of six years, when the capital punishments were only 50, the number of murders had fallen to 351. Another table in the same return showed another important result. It reviewed, first, those years in which *all* who were convicted of murder were executed, and an equal number of years in which the *smallest number* of those who were convicted were executed; thus comparing the effect of the most unsparing execution with that of the greatest amount of forbearance. What was the result? In each year following those years in which executions invariably took place, the number of murders increased. Combining them together, the increase was from 239 to 270. On the other hand, in the years following those years in which there had been the fewest executions, the number of murders had fallen from 268 to 222. He might adduce further statistics illustrative of this argument, especially those drawn from the results of commutations in different countries. But he forebore to overload the subject and fatigue the House. He likewise might refer to the results of mitigation in France, Prussia, and Belgium. But he would limit himself to those experienced in the last-named country; because Belgium was the only country in which capital punishment had been recently abolished. It was abolished there, or suspended, in the year 1830. But, in the year 1835, it appeared that certain individuals advised its reintroduction for the sake of setting an "example." Capital punishments were therefore revived: and what was the result? Condemnations, which from the year 1830 to 1834 had only amounted to sixty-four, rose in the interval between 1835 and 1839, to eighty; or about twenty-five per cent. Here he would close his argument from figures. Arguments from facts and circumstances led to the same conclusion. Our prison discipline was immensely improved; our police everywhere better regulated; education was yearly advancing. The additional safeguards which these improvements gave, while they rendered crime more unlikely or more controllable, rendered less necessary the usurpation of the disposal of human life by man. Finally, on this part of his argument, he would say, that, however he might have argued, ill or well, against the necessity of capital punishment, the real *onus probandi* did not lie on him to prove, or try to prove, the negative—that capital punishment was not necessary—but upon those who opposed him to prove the affirmative issue of its necessity. Here he left this part of his argument, and proceeded with the next, to show that the punishment of death was not only not necessary, but that it was positively injurious in its results. Injurious to whom? To the criminal who suffered, to the jury who tried him, and to the public for whose sake the suffering was supposed to be permitted. First, with respect to the criminal. It had been admitted ever since the days of Beccaria, that the main element of a well-chosen punishment was its certainty of infliction. But, he would ask, "Can you unvaryingly, or with any due degree of certainty, inflict the punishment of death even for the crime of murder? If you cannot do so, the general effect on the criminal's mind must be an uncertain one." In such a case the disposition of man inclines towards the chances in his own favour: a species of moral gambling is engendered, and he boldly stakes the uncertainty of his own life against the general uncertainty of the law. But, besides the final uncertainty of the punishment, there were many intermediate causes of uncertainty. There was an uncertainty which had not been sufficiently dwelt on—that of the English legal definition of murder! "Malice prepense" must be an essential ingredient in the crime. Now it appeared to him that "malice prepense" might bear a different definition in the minds of different judges; for the proof of it depended on the circumstances of the case; and that which might appear to amount to a deliberate purpose in one man's mind, might not appear so in the mind of another. He thought the uncertainty of this definition was traceable in the constructions which it had undergone by different tribunals. He forbore to dwell on the various stages, before, during, and after, the trial, all so many different degrees, or professions, of uncertainty. Before the final consummation of the sentence, both local interest and public feeling interposed to stay the uplifted arm of justice. What was worse, a morbid sympathy was engendered—engendered he (Mr. Ewart) maintained by capital punishment alone—which threw a false splendour around the criminal, and raised him into a sort of felonious hero. This false splendour was flung over one, who would otherwise be unnoticed, by the magnitude of his punishment, and what might be called the dignity of death. That it was the punishment, not the crime, which produced this false sympathy, he (Mr. Ewart) was convinced, for this reason: formerly the same sympathy existed for criminals who were capitally sentenced for forgery, for robbery, or for sheepstealing. But, now that the capital punishment was abolished in those cases, the false sentiment in their favour existed no longer. Surely the same result must follow if the capital penalty were repealed in the case of murder. The last bad effect on the criminal, too obvious and too often urged for him to dwell upon, was, that serious, but unanswerable objection in the eyes of reason and religion, the withdrawal, or rather extinction, of the criminal without the chance of reform. By capital punishment he was dismissed—

> "Unhousell'd, disappointed, unaneal'd,
> No reckoning made, but sent to his account
> With all his imperfections on his head!"

Thus justice precipitately closed the career of crime! He (Mr. Ewart) turned next from the prisoner to the adjudicating body—the jury. He maintained that the continuance of capital punishment was positively injurious also in its influence on the jury. It dazzled, or dimmed, the vision of justice, which should be strong and clear. The magnitude of the punishment threw the crime into the shade. The jury were taught to shrink from a responsibility, when they ought simply to discharge a duty; and their decisions were overshadowed by the magnitude of the penalty imposed by the law. This feeling had evidently increased in modern times. In his opinion it would continue to increase. As men advanced in civilization they must more acutely feel their own responsibilities; above all, they must feel that awful responsibility, the infliction of a punishment, final and fatal, by a fallible tribunal. In modern times, too, men were prone to draw refined distinctions on the ground of insanity in criminal cases. Perhaps it might be even said, that the more horrible and stronger the murder, the more inclined might some men be to ascribe it to the wanderings of reason. Here then was another opening for the escape of the responsibility of a jury. The continuance, therefore, of capital punishment enfeebled the administration of justice, and shook our jury system to its foundation: it was injurious to the tribunal which administered, as well as to the criminal who suffered from, the law. But was it not, also, fatally injurious to the public?—the public whom they ought, first of all, to regard—the public, for whose sake it was said that capital punishments were maintained as an example. As an example to whom? What thoughtful father would admonish his children by means of such an exhibition? What pious tutor would initiate his pupils in such a lesson? Was it then for the more laborious classes that they maintained this public ceremony; those classes whom they ought to elevate and refine, not demoralize and debase? To which portion of those who beheld it could it do good? To the virtuous? They shunned it entirely, or retired from it with abhorrence; or, if they endured to witness it, they became one step the further removed from virtue. To the vicious? It had been proved by repeated evidence that criminals were not only the unreformed witnesses of executions; but that they were, in some cases, incited to crime by witnessing them. Was it then the uncertain mass who fluctuate between good and evil, the indifferent, on whom they were to produce an effect? If for such as these executions were to be maintained as an incentive to virtue, why not make a great moral lesson of them? Why not invest them with the serious dignity of a solemn ceremony? Instead of that, they were hurried through, often suddenly, in the doubtful twilight of the morning—as if the State were ashamed of this great moral lesson; and, still more, as if it were ashamed of the minister of public instruction by whom this moral lesson was practically imparted. But, it might be said, "Execute in private;" and some persons were in favour of such a proposition. If so, what became of the argument of example? It must, in that case, be abandoned as untenable. But there was another point of view, which more especially disclosed the inefficiency of capital punishments in free countries like our own. In such countries efficient punishment might be said to consist of two combined forces: the one derived from the sentence of the law; the other from the weight which public opinion superadded to that sentence. In such cases, the effect of law was enforced by the coincident pressure of public approbation. But if the law were at variance with public opinion, public opinion exercised, not a coincident, but a perpetually counteracting, effect to the pressure of the law. But what if that counteracting effect went on constantly increasing? From the petitions on their Table, from the well-known sentiments of the people, it appeared that it did so. In the case of capital punishments, therefore, they had not only an established resistance to the pressure of the law, but a resistance which was constantly increasing. Every year, therefore, must add to the difficulty, if the present system were continued. But, if it were discontinued, he might be justly asked, what punishment would he substitute for the punishment of death? To that question he would answer, that, with all the appliances and means, and all the skilful refinements of our present system of imprisonment, he would substitute imprisonment for life. This had been done in other countries possessing less advantages. Why should it not be tried in this? Such a punishment was not, like the punishment of death, barbarous, yet evanescent; it was ever-present and effective. It was no transient and futile horror, like the spectacle of a sudden and sanguinary death, but, while life lasted, an ever-living lesson. Nor would it be wanting in severity; since what more formidable sentinels for the portals of a prison, than the dread phantoms of solitude and sin? Thus, in the course of time, the prisoner might be brought under the control of religious influences; reformation would take the place of execution:—

> "Donec longa dies perfecto temporis orbe
> Concretam exemit labem purumque reliquit
> Æthereum sensum:"—

and he might be softened and moulded into a new creature. But what was the operation of the present system? Time was, in many cases, denied for the operation of repentance. If the distinguishing doctrine of Islamism was resignation, surely one at least of the vital characteristics of Christianity was repentance. Yet by the infliction of capital punishment they closed the gates of repentance on mankind. Nay, some of the strongest opponents of abolition admitted this objection; for they proposed that the execution of a capital sentence should be suspended for a year, in order to give time for repentance. But if for one year, why not for two—for three—for four—five, or ten? Who shall prescribe within what time a sinner shall repent? The principle of opposition on this ground was, then, virtually abandoned; and what more momentous ground could be submitted to their contemplation? This only passing glance at one religious aspect of the question, which forced itself on his attention, would he (Mr. Ewart) allow himself. But, ere he closed, he must turn to another view of the question. It was not by sanguinary punishments, or punishments of any description, that they could overcome the tendency to crime. The remedy was a more searching one. To extirpate the evil, they must strike deeper; they must give the people, not a horror of the punishment, but a horror of the crime. They must educate the people. But there were two modes of educating them; one acting by internal means, the other by the external influence of outward objects. Among the external influences, one was, the withholding from the view of the public, sights which could only tend to harden and degrade it. All experience showed that such scenes debased and barbarized the people. The King of Sweden, to whose work he had already referred, showed this result, he thought conclusively. He gave a catalogue of countries in which capital punishments were most common, yet in which savage and sanguinary crimes appeared most prevalent. Thus Spain, which exhibited the most numerous executions (1 in 122,000 inhabitants) was the most fertile in atrocity of crime. But Norway, in which country no execution had occurred from the year 1835 to the year 1837, showed only one execution to every 720,000 of its inhabitants. Yet the conterminous country of Sweden, in which crimes were far more common, exhibited one execution for every 172,000 inhabitants. The same inferences might be drawn by comparing Ireland, and even England and France, with Pennsylvania, Prussia, or Bavaria—States in which executions were most rare. History told the same tale. In the best times capital punishments were the most uncommon, or the most at variance with the feelings of the people. Thus, in the high and palmy days of Rome, they found capital punishments generally abolished. Even on occasion of the treason of Catiline, an argument was raised against the infliction of the punishment of death. It was argued, says Cicero—

> "Mortem à diis immortalibus non esse supplicii causâ constitutam. . . . . Itaque eam sapientes nunquam inviti, fortes etiam sæpe libenter oppetiverunt."

In the earlier and purer era of primitive Christianity, the same reluctance had been manifested. High reason, and deep religion combined and coincided on this good principle. The time was come when, in this country, the experiment might be fairly tried. Commercial freedom was opening trade and labour to the people. Education was following in the track of commercial freedom. The people even now were scarcely patient of these pomps of death and spectacles of blood, the attributes of an age more barbarous than our own. He asked the Legislature to listen to their aspirations; to achieve a great social, moral, and religious victory; and to offer up this last sacrifice, expiatory of the sanguinary legislation of the past, on the united altars of civilization and Christianity.

DR. BOWRING seconded the proposition. Every discussion that took place in that House and out of doors on this question brought the period nearer to them, at which the total abolition of the punishment of death would become inevitable. It could not be denied that every experiment that had been made had been successful, and that with the diminution of punishments there had been a corresponding diminution in crime. If anything characterized an advancing and progressive age, it was respect for life. Disregard of that highest and greatest of treasures, was always associated with backwardness and barbarism. Reverence for life, and a disposition to recognise its sacredness, and an unwillingness to throw it away, was what distinguished the best understanding of the principles of Christianity, and the first advance of civilization and philosophy. In a state of society in which life was wantonly wasted, be assured they would find all the elements of crime; but the indisposition to crime, as far as their experience went, should always be associated with that hesitation with which legislators consent to destroy life, and in which public opinion comes to confirm the decision of legislators. It appeared to him, that if they desired to inspire in the minds of every one a respect and a reverence for that possession which they called life, they ought themselves on no occasion to throw it away. On what principle, he asked, did society take altogether from the criminal the hope of reformation. His hon. Friend had quoted statistics of several countries which fully bore out his statement; but he had not referred to those of Prussia, which were peculiarly illustrative of the subject. Again, let them look to the number of homicides and other aggravated crimes committed in the Roman States as compared with Tuscany. These were adjoining States, and the people much resembled each other; and he imputed the small comparative number of homicides and other crimes in Tuscany to the humanity of the legislation, which was in his mind the philosophy of legislation. He did not think that the House could be better employed than in diminishing the number of crimes for which the perpetrators were now executed; and as experience had hitherto been successful in all proceedings in that direction, he trusted that the House would assent to the Motion of his hon. Friend.

Sir GEORGE GREY regretted that he could not assent to the Motion of his hon. Friend the Member for Dumfries. On the present occasion his hon. Friend had avoided an objection which was made to another Motion he brought forward in 1841 on this subject, the last time, he believed, that it had been brought before the House. That Motion stated distinctly that capital punishment should cease; and the effect of the adoption of such a resolution would have been the involving those charged with the execution of the law in great embarrassment. His hon. Friend now moved for the abolition of the punishment of death in another manner; but, looking at the arguments adduced in support of the Motion, and also to the effect which he believed that the adoption of a Motion for the total abolition of the punishment of death would have, he felt it to be his duty to resist the introduction of the Bill. The hon. Gentleman very properly discarded the urging any theological ground for his Motion, but rested it on the state of society, and on the diminution of crime which it would lead to. The hon. Gentleman did not call upon them to diminish the number of offences for which the punishment of death now appeared in the Statute-book, because there were peculiar grounds for such diminution; but invited them to agree that in all cases, and even cases of the most aggravated murder, and cases of high treason, which might involve the greatest danger to the nation, and be attended with the most serious loss of life, they should dispense with the punishment of death. He could not agree in such a large and sweeping proposition. His hon. Friend said, that he founded his case on statistical returns; and his hon. Friend who seconded the Motion also quoted further statistical returns, and said that they showed that in proportion as they had repealed the punishment of death for crimes, so in the same or a greater proportion had crime diminished. He agreed with his hon. Friend that statistics were the elements of Parliamentary warfare; but if they took other quinquennial periods, instead of those quoted by his hon. Friend, it would be found that they would give directly opposite results. If they took only one period, particular circumstances might have existed to lead to a diminution of crime; but if they took an equal period at another time, an increase would appear. In stating this, however, he admitted that the effects to the contrary were not of a very serious nature; and he believed that no one in that House would say that he wished the Legislature to retrace its steps, and go back to the punishment of death in cases where it had been abolished. The principle was an important one as related to the interests of society, and as regarded the prevention of crime. His hon. Friend said, that the infliction of the punishment of death in cases of murder did not answer the object in view; and he founded this opinion not on statistics as to the crime of murder, but on statistics having reference to other crimes for which the punishment of death had been removed. With respect to the results obtained respecting the latter class of crimes, it must be admitted that public opinion did not go with the infliction of the severer punishment. They were a class of crimes, the commission of which did not so deeply involve the interests of society. It was therefore impossible for the Government to inflict the capital punishment against the operation of public opinion. As long as the severer punishment existed, it held out an inducement to the commission of the crime, as criminals believed that they might to a certain degree commit them with impunity, from the unwillingness of parties to prosecute and of juries to convict. Persons, in many of these cases, would not come forward to prosecute, as these crimes involved only a pecuniary loss; and they therefore would not prosecute when the result probably might lead to the shedding of blood. Juries also were unwilling to convict in such cases, even on the strongest evidence. The hope of impunity was thus excited, and a premium was thus held out for the commission of this class of crimes. It was certainly true that no threat of capital punishment would deter from the commission of crime, when it was known that the punishment would not be inflicted. In fact, no Act of Parliament could answer the object in view if it imposed punishments and penalties which ran counter to the current of public opinion, and such a law must soon be repealed by the successful influence of public opinion. What was, however, now the state of the law with respect to capital punishments? Since

1841, when the last amendment of the law in this respect was made, certain cases were reserved in which capital punishment should be inflicted; but not a single execution had taken place since that time, but in cases of murder. He would now show the House that, instead of there having been an increase of the crime of murder in this country, there had, on the contrary, been a gradual decrease in the commitments for murder. On the average, during the periods of 1813–15, there had been but one commitment to every 133,000 souls; during the years 1823–25 but one commitment to every 157,000; during the years 1833–35 but one commitment to every 193,000; and during the years 1844–46 there had been but one commitment to every 240,000 souls, showing a great and progressive decrease in the commitments for murder; while in the same period the commitments for crime generally, to which the punishment of death is not attached, increased 276 per cent. He did not say that the abolition of the capital punishment was the cause of the increase of other crimes, for they must take into consideration the increase in the population since that time, and, above all, the improvement which had taken place in the police, which had increased its efficacy, and led to a greater number of criminals being detected and brought to trial. The almost certainty of execution following in clear cases of murder had not tended to increase that crime, but had had the practical effect of diminishing it. He believed that criminals looked forward with a degree of horror at the infliction of the punishment of death, which they would not feel at any other punishment. The certainty of its following in cases of murder, rendered it different from its being attached to other crimes, where it was not inflicted. He did not believe that public opinion was in favour of the abolition of this punishment, although a large number of conscientious persons, for whom he entertained the greatest respect, were in favour of it; but still he believed that the great majority of the people would be shocked, and public feeling would be outraged, if it was at once abolished. His hon. Friend had stated that life was the highest and greatest treasure of man, and that it should not be sacrificed wantonly. He not only agreed in this, but he would observe that it would be disgraceful in any Government wantonly to inflict any punishment. It was the first duty of Government to look to the protection of life; and he believed that it was by the continuance of the punishment of death in cases of murder that this object would be obtained. In cases of murder, there was no unwillingness to come forward. On the contrary, in such cases there was every desire, on the part of both prosecutor and witnesses, to convict the criminal; and it was very rarely in England that juries hesitated to discharge their duty in such cases. Therefore, he said that no man who committed murder could reasonably expect that the punishment of death would not follow. His hon. Friend had spoken of executions, and had asked what was the use of them. Did he suppose that it was to operate as an example only on those who saw them with their own eyes? He believed that the effect was not produced only on the spectators, but was widely influential when the result became known. When persons read accounts of the execution and the trial, and were struck with the solemn mode in which sentence was passed, the effect was produced on the rest of the community, and was not merely confined to the crowd which had assembled to witness the dying struggles of the criminal. He would not say whether executions produced crimes to the extent stated by his hon. Friend; but he believed that persons who went to executions were generally deeply imbued with crime. With reference to juries having been said to acquit improperly persons charged with murder, on the ground of insanity, he could say, from his experience in the office which he had the honour to fill, that the cases were not nearly so general as stated; and although there were cases of this serious nature, where juries had given such verdicts on comparatively slight indications of insanity, yet there were many more where juries had given such verdicts in simple cases of larceny, from some mistaken feelings of humanity. In the latter cases, the parties would certainly have a much longer imprisonment inflicted on them. As to that part of his hon. Friend's speech in which he stated that if the capital punishment was abolished in cases of murder, the juries would be unwilling to give credit to the plea of insanity, he did not think that his hon. Friend had adduced any argument which would justify the support of the Motion on that ground. He did not think it was necessary for him then to go further into the subject. As to the abolition of the punishment of death for the other crimes on which it was now imposed, he would only observe that, although for the last five years no case had occurred in which it was necessary to inflict it, yet cases might arise, such as treason, in which it would be necessary, although this was a crime of such unfrequent occurrence; but because the crime was not common was no answer to the necessity for the severest punishment for it.

MR. HUME observed that the right hon. Gentleman had admitted the diminution of some crimes by the abolition of the punishment of death. Was not that the strongest argument for going on in the same course? The speech of the right hon. Baronet involved an argument against the abolition ef the punishment of death in all cases. He said life was valuable and sacred; and, therefore, they should protect it by such a punishment as was best calculated for the purpose of deterring criminals from taking away life. This was the old argument against the abolition of the punishment in all cases of stealing, on the principle that property was sacred, and should be protected in every possible way. The right hon. Gentleman said that he was not prepared to take a further view of the question—that he was not prepared to go back—but all his arguments told against him on this point. It was notorious that persons who went to executions became indifferent to the shedding of blood, and very often ultimately became murderers themselves. The result of every proceeding on the subject in that House for the last twenty-five years, showed the propriety of diminishing the severity of punishments. The right hon. Gentleman said that public opinion was not favourable to the removal of capital punishments in cases of murder. But there were four or five other crimes for which this punishment was now retained, but never executed. Surely it could be abolished with respect to them. Juries formerly hesitated to convict in the clearest cases where property was concerned, because they objected to the infliction of capital punishment, and so it would be in cases of murder. The question was, whether the taking the life of a murderer deterred another from the commission of that crime? Such had been the effect of abolishing this punishment, that he called upon the House to go on in the same course. He trusted that at any rate the Government would allow the Bill to be brought in.

MR. AGLIONBY was anxious, as a supporter of the Motion, to say a few words on one point which had been alluded to. The right hon. Baronet had said that the feeling of the country was against the Motion. Now as far as his observation extended, the right hon. Baronet was mistaken, for he believed that it was almost entirely in favour of the Motion. He knew this to be the case with respect to his constituents, who, if they did not entertain an unanimous feeling on the subject, yet a very large majority of them were decidedly of opinion that this punishment should cease.

SIR R. H. INGLIS said, that if his right hon. Friend the Secretary for the Home Department had not thrown the shield of his character over part of the speech of the hon. Member for Dumfries, which he thought was open to exception, he should not have risen to address the House on that occasion. As far as he could understand, his right hon. Friend had praised the hon. Member for having avoided all the theological part of the question. Now, if he (Sir R. H. Inglis) rightly comprehended that question, it was not left to them to decide as a matter of expediency whether or not they should inflict the punishment of death in cases of murder, whatever they might do in any other cases. His hon. Friend had stated that the punishment of death under the Levitical law, had been abolished by the more humanising spirit of the Christian dispensation. But that was not the point at issue; the punishment of death did not rest on the Levitical law. It was a law given by God himself when the world had been newly replenished. The law given by the Almighty was, that "whoso sheddeth man's blood, by man shall his blood be shed." He did not think, therefore, that human legislators were at liberty to dispense with the punishment of death for wilful murder. He had always avowed that opinion in private, and he would never shrink from avowing it in public. The House, however, would show itself prepared to blot out that universal command of God, as he believed it to be, if it were to accede to the Motion of the hon. Member for Dumfries. But, even on lower grounds, he should deprecate the adoption of that Motion; for it was clear that if the same punishment were enacted for murder and for burglary, the man who committed burglary would also commit murder, because he would by that means take away a witness of his crime, and would incur no greater degree of punishment. He should not trespass any longer on the time of the House, as he had frequently on former occasions expressed to them his views upon the subject. He felt it his duty to give his decided opposition to the Motion of his hon. Friend, believing, as he did, that the measure would not be productive of good, but would loosen the ties of society. Let them remember that all their sympathies should not be in favour of the criminal, but that they should also be extended to the victims of his crime.

Mr. BROTHERTON said, that punishment could only be justified on the ground that, by its infliction, it would either reform the offender, make reparation to society for the injury done, or deter others from the commission of crime by the example it afforded. It could easily be shown that capital punishment did not produce any such effects. It was impossible to reform a man after you had hanged him. As long as a man lived, he might make some reparation to society for the injury he had done; but he who was hanged could no longer be useful to society: and there was a growing conviction in the public mind, that the punishment of death did not prevent crime. In his opinion, it was of the greatest importance that the laws and institutions of the country should cherish in the minds of the people a feeling of the sacredness of human life. The punishment of death was either right or wrong. If it were wrong, it could not, under any circumstances, become right. He who gave life, had alone the right to take it way. The infliction of capital punishment was a violation of the principles of humanity, justice, and mercy. With regard to the text, "Whoso sheddeth man's blood, by man shall his blood be shed," he believed it was no more a precept than the declaration that "they that take the sword, will perish by the sword," was a precept. Both were intended to teach men that they must expect just retribution for the committal of injustice. That the quotation was not a law, was proved by the fact that it was forbidden to slay the first murderer on record. If the text mentioned by the hon. Baronet were to be taken in the sense in which he wished it to be, one murder would lead directly to another, and, in that case, where was bloodshedding to end? Would that text justify murder for the purpose of retaliation? He maintained that capital punishment was wrong in principle, and that the law sanctioning it, should no longer remain on the Statute-book. There were many ways of punishing crime—from the tread-mill, the silent or separate system of imprisonment, to transportation—without putting men to death. The State had power over the civil, but it had no right to take the natural life of man. There was a growing public opinion that crime diminished in proportion to the mildness of the laws. The improvement in public opinion on this subject was illustrated by a case that had occurred in the year 1814, when a man was executed at Chelmsford, in Essex, for cutting down a cherry tree. It was reported that the judge on the trial observed, that "a man who would cut down a tree maliciously, would kill a man." No judge at the present day would utter such a sentiment. He trusted that public opinion would improve still further, until the punishment of death was finally abolished.

House divided:—Ayes, 41; Noes, 81: Majority, 40.

List of the Ayes.

Aglionby, H. A.
Baine, W.
Barclay, D.
Barnard, E. G.
Bowring, Dr.
Brotherton, J.
Browne, W.
Castlereagh, Visct.
Christie, W. D.
Crawford, W. S.
Currie, R.
Dennistoun, J.
D'Eyncourt, rt. hon. C.
Duncan, G.
Ellis, W.
Escott, B.
Fielden, J.
Hanmer, Sir J.
Hindley, C.
Hutt, W.
Kelly, Sir F.
Lawless, hon. C.
Mackinnon, W. A.
M'Carthy, A.
Milnes, R. M.
Morrison, Gen.
Muntz, G. F.
O'Brien, C.
O'Connell, J.
Pattison, J.
Pechell, Capt.
Strickland, Sir G.
Tancred, H. W.
Thornely, T.
Trelawny, J. S.
Turner, E.
Walker, R.
Warburton, H.
Williams, W.
Yorke, H. R.

TELLERS.

Ewart, W.
Hume, J.

List of the Noes.

Acland, Sir T. D.
Adderley, C. B.
Aldam, W.
Arundel and Surrey, Earl of
Bailey, H. J.
Baring, H. B.
Baring, T.
Barrington, Visct.
Bellew, R. M.
Bennet, P.
Bentinck, Lord G.
Beresford, Maj.
Berkeley, hon. C.
Buller, Sir J. Y.
Carew, W. H. P.
Chichester, Lord J. L.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Clive, Visct.
Douglas, Sir H.
Duncombe, hon. O.
Dundas, Sir D.
Entwisle, W.
Fellowes, E.
Ferguson, Sir R. A.
Frewen, C. H.
Gladstone, Capt.
Graham, rt. hon. Sir J.
Grey, rt. hon. Sir G.
Halford, Sir H.
Hastie, A.
Henley, J. W.
Herbert, rt. hon. S.

Heron, Sir R.
Hope, G. W.
Howard, hon. C. W. G.
Ingestre, Visct.
Inglis, Sir R. H.
James, Sir W. C.
Jervis, Sir J.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Lincoln, Earl of
Lindsay, Col.
Macaulay, rt. hon. T. B.
Mackenzie, T.
Manners, Lord J.
Matheson, J.
Miles, W.
Monahan, J. H.
Morpeth, Visct.
Newry, Visct.
Northland, Visct.
Palmer, R.
Palmer, G.
Parker, J.
Patten, J. W.
Peel, J.
Protheroe, E. D.
Pulsford, R.
Pusey, P.
Rashleigh, W.
Reid, Col.
Round, C. G.
Russell, Lord J.
Scrope, G. P.
Seymour, Lord
Shaw, rt. hon. F.
Sheppard, T.
Sibthorp, Col.
Smith, J. A.
Smythe, hon. G.
Somerville, Sir W. M.
Spooner, R.
Stuart, W. V.
Strutt, rt. hon. E.
Vesey, hon. T.
Vyse, H.
Wortley, hon. J. S.
Wrightson, W. B.

TELLERS.

Tufnell, H.
Craig, G.

AGRICULTURAL STATISTICS.

MR. MILNER GIBSON rose to ask leave to bring in a Bill for the collection of several returns of agricultural statistics in England and Wales. By this measure it was proposed to obtain a return from every occupying tenant of pieces of land of not less than from three to five acres, a description of the crops which were sown upon his land. The Bill provided that the return might be annual; but it also provided that in case the Board of Trade, or other authority, should think fit, it would be in their power, if annual returns should appear unnecessary, to order them to be made at longer intervals of time. A dispensing power would be given to the Board of Trade. It was proposed to divide England and Wales into superintendent registrar generals' districts. Each superintendent registrar's district was to be divided into registrars' districts; and it was proposed to obtain in each registrar's district the form of return of which he had spoken. The registrar, or agricultural enumerator, who would be placed in each district, would be bound by his duty to communicate with every farmer, and to procure from each the returns sought for. He would then forward the returns to the superintendent registrar, who would afterwards forward them to the Registrar General in London, who would send them to the Board of Trade, where they would be arranged in form to be laid before Parliament. The Bill was confined in its operations to England and Wales; but if it should appear desirable that this mode of obtaining returns should be extended to Scotland, it could be done. With regard to Ireland, he would leave the collecting of those returns to the Executive Government. The plan was under consideration by which the Executive Government would be enabled to obtain them. By these means, the whole of the returns of the United Kingdom would be completed. He did not think it would be necessary for him to show how important those returns would be, as the House was not, he believed, inclined to refuse its assent to the introduction of the measure. He would merely observe that it went no further than obtaining from the farmers returns of the quantity of land under cultivation, of the different kinds of crops from which they should endeavour to approximate to the quantity of grain likely to be produced during the year, by estimating the quantities usually produced from the various qualities of soil, taking into account the sort of weather prevailing. They could not pretend to do more than approximate by such means to the probable quantity of wheat, barley, bere, and oats in the United Kingdom.

MR. HUME, if he did not mistake, believed the whole plan to be wild and useless. Why did they not take example from India, where those agricultural statistical returns were so clearly made out, that every acre of land under tillage in Bengal, and its actual produce within a bushel, were known directly after the harvest was over? But by this Bill they were to have registrars in every parish. They had already machinery of registrars enough. The registrars of births and deaths cost them between 70,000*l.* and 80,000*l.* a year; and now they were to have another set of registrars. He would suggest the possibility of their using those already employed. Why could they not have parish returns? But, after all, the measure would be of no value, if its provisions did not extend alike to England, Scotland, and Ireland.

MR. HENLEY thought it hardly fair to bring in a Bill for England and Wales before the Executive had prepared a system for Scotland and Ireland. One thing was very certain, that by its provisions they would establish a vast number of enumerators throughout England and Wales; but he did not see that they would, after all, be much nearer to a knowledge of the actual quantity of produce in the country than before.

Leave given.

DEATHS (IRELAND).

MR. SMITH O'BRIEN, in moving for—

> "A Return of the number of persons who have died in each parish in Ireland, during each Month since the 1st day of November, 1846, in so far as the same can be ascertained by information derived from the inquiries of the constabulary, specifying the number who have died from starvation, or disease consequent upon insufficiency of food, with a summary for the whole of Ireland;"—

observed, that he was very much surprised to find that there was an objection on the part of Her Majesty's Government to grant such return.

SIR GEORGE GREY begged to explain, that the only portion of the Motion to which he objected, was that which contained the words, "officiating clergymen of the several religious denominations." Over those gentlemen the Government had no control, and they could not therefore ask them to furnish the returns. He had no objection to have them from the constabulary, and he freely consented to that portion of the hon. Gentleman's Motion.

MR. SMITH O'BRIEN expressed his contentment with the Amendment.

MR. SHAW would be unwilling to object to anything of the nature under consideration, but he thought returns by mere policemen insufficient.

LORD GEORGE BENTINCK could not see any objection to asking the various clergymen in Ireland for returns of the deaths this year, last year, and the year before, in their several parishes; and under present circumstances he did not think they would refuse.

MR. AGLIONBY thought it might have been shown that returns of such a sort as those moved for by the hon. Member for Limerick, might rather mislead the public, than be of any use. How was it to be expected that policemen or clergymen either, could distinguish the cases in which death was the result of starvation or of disease brought on by insufficiency of food? Why all the forms of typhoid might be ascribed to such a cause. Every one was aware that typhus fever was an attendant upon bad diet and low living. Even coroners' inquests were not to be always taken as sure tests of the cause of death. There were too many instances of mistaken verdicts returned by coroners' juries.

MR. JOHN O'CONNELL said, he greatly feared the time of the clergy was so much occupied in attending to the dying people, that they could scarcely furnish the returns required of them; but he was sure they would do whatever was in their power to meet the wishes of Parliament. He believed, however, that a great many deaths took place unknown even to the clergy.

LORD JOHN RUSSELL said, as far as the Government was concerned, there could be no objection whatever to the returns required from the constabulary. He feared, however, that the House would most probably be led into error by any such returns. For instance, a man found dead in the fields would probably be mentioned in the police returns as having died of starvation; and in many cases the constabulary were guided in the reports they made by what they had heard rumoured among the people, rather than by any positive knowledge which they possessed of the precise facts. The House could therefore hardly rely on the accuracy of the constabulary returns in this instance, nor could they expect to obtain in this manner the full number of those who died from want of food. With respect to asking the clergy for returns, the rule was, as his right hon. Friend had observed, for the Government not to ask for returns except from their own officers, whom they could summon to the bar of the House if they refused to comply with the demand made on them. Besides, the hon. Gentleman who had just sat down had given a good reason why the clergy might not be able to furnish such returns. He thought that under all the circumstances the hon. Gentleman would do well to take the suggestion thrown out, and not to press his Motion. He would beg to remind him that some years ago, he (Lord John Russell) gave a pledge to bring in a Bill for the registration of births, deaths, and marriages in Ireland; but he found the feeling against it so strong among certain parties that he abandoned the idea.

MR. SMITH O'BRIEN said, it had been calculated that as many as 240,000 persons had been already allowed to die of starvation in Ireland; and if such were the fact, or even if the number were but 2,000, he wished it to go forth that such things were permitted in the wealthiest country in the world. He believed it was in the power of the Legislature and of Government to prevent a single death from starvation in Ireland; and if the present state of things were permitted to continue, he would do his utmost to endeavour to draw the attention of the civilized world to the fact, that his countrymen were allowed to perish like vermin by that Legislature and by that Government. It was, he confessed, with that view that he made his Motion.

Mr. HUME hoped the hon. Gentleman would state how the Legislature and the Government could have prevented even one of those deaths from taking place. He thought the hon. Gentleman ought to be prepared to prove his statement before he made such an allegation in that House. He could not allow such a charge against the humanity of this country to go forth without comment, believing as he did that it was beyond all bounds. The only fault which he found with the Government, was for the excess of their humanity—exercised he had no doubt with the best intentions; but still he believed tending to aggravate the evil which they wished to check. He would call on the hon. Gentleman to state how and in what manner the calamity could have been kept from one individual by the Government or that House. He hoped that the returns called for would not be given unless a proper report had been made of the cause of the death of each individual, founded on proper authority, at the time of its occurrence, otherwise he believed no dependence could be placed on the returns.

Mr. SMITH O'BRIEN said, he had contended from the very first day of the Session, that food ought to be supplied and employment given to the people.

Mr. HENLEY said, after the speech of the hon. Gentleman, he hoped the Government would not grant the returns without being certain of the real cause of death in each case.

Motion agreed to.

HOSIERY MANUFACTURE.

Sir H. HALFORD rose, according to the resolution of which he had given notice—

> "To move for a Committee of the whole House, to take into consideration the 8th and 9th Victoria, chap. 77, being 'An Act to make further regulation respecting the tickets of work to be delivered to persons employed in the manufacture of Hosiery in certain cases.'"

It would be remembered that during the last Session he brought the condition of the stocking weavers of the midland counties before the House, and showed that in consequence of the work passing through the hands of a bagman or agent, the workman was defrauded in the price paid to him. To prevent this the Act of last Session was passed, requiring the hosier to give out a ticket with his work, stating the price to be paid for it, and which the agent was bound not to keep back from the work. This Act was, however, found to be practically inoperative; for although it was passed with the unanimous consent of the House, high legal authorities had put such a construction upon it as defeated the purposes intended to be effected by the Act. His object, then, was to repeal the ticket provisions of the Act of last Session, and, in lieu of it, to require an entry in a book to be kept by the manufacturers, and to which the workmen were always to have access; and thus always might have it in their power to know the price paid for their work. This mode would be no inconvenience to the manufacturer, and he hoped would protect the workmen from having their miserable pittance plundered by the bagmen. The distress of the framework knitters of the midland counties was unequalled in any part of the British empire, unless it was in Ireland. They had heard a great deal of agricultural labourers only being paid 7*s.* or 8*s.* per week; but that was affluence compared with the wages obtained by these poor framework knitters. The chairman of the board of guardians of the Leicester union had forwarded him a statement of the actual wages received by 500 stocking-makers of that union, which showed an average of 4*s.* 4½*d.* a week; and in many families, seven in number, the average earnings were no more than 6*s.* 6*d.* per week. This state of poverty was not to be accounted for by fluctuations or depressions such as are encountered at intervals by other trades, like that of the handloom weavers, for instance, who were ruined by the competition of steam power. On the contrary, they had no such competition to contend with; and the article they manufactured was one of general and universal necessity. The distress arose solely from the vicious mode in which the manufacture was conducted, and the heavy deductions made from the nominal wages of the workmen. The principal and most oppressive of these deductions was a charge called frame-rent. In no other trade was the machine by which the workman produced the article of manufacture subject to rent; and it was, in fact, just the same as if the ploughman were subject to a deduction from his wages under the name of rent for the plough he drove or directed. There was a general desire among the workmen, which was participated in by many masters, to see this impost abolished. It often induced persons to embark in the trade without a sufficient capital or credit; and by means of the frame-rent they were enabled to obtain a trade by a depreciated price, at which the fair manufacturer could not compete with them in the market. Besides this, a numerous class of workmen were reduced to a state of distress approaching starvation. To remedy these manifold evils, if possible, he sought to bring in this Bill; and for that purpose moved that the Speaker do now leave the chair.

House in Committee.

SIR H. HALFORD moved the following resolution—

> "That the Chairman be directed to move, that leave be given to bring in a Bill to repeal the Act 8 and 9 Vic. c. 77, intituled, 'An Act to make further Regulations respecting the Tickets of Work to be delivered to persons employed in the manufacture of Hosiery in certain cases,' and to make other provisions instead thereof, and to make further provisions to secure the wages of persons employed in the manufacture of Hosiery."

MR. MILNER GIBSON said, he should not oppose the Motion of the hon. Gentleman for bringing in the Bill, but should not consider himself or the Government pledged to support it. The hon. Gentleman had asked for much more than appeared on the Vote. He proposed now to interfere with other trades than those included in the Act of the 8th and 9th of Victoria. [Sir H. HALFORD: No, no!] At any rate, he proposed to interfere more with the relations of master and workmen than did the Bill which the hon. Gentleman was instrumental in getting passed last Session. Under those circumstances, it was impossible to say what course the Government would take respecting the present Bill, until it had been further considered. He, for one, had always been opposed to this species of legislation; and was sure last Session, when the hon. Gentleman undertook to meet all the evils of which he complained with an Act of Parliament, that he would soon come back for an Act to amend. If they passed this Bill, he felt certain another Act to amend that would be required next Session. It was impossible to meet evils of this nature by Acts of Parliament.

Resolution agreed to.

House resumed.

Resolution reported, and Bill ordered to be brought in.

House adjourned at Eight o'clock.

HOUSE OF COMMONS,

Wednesday, March 10, 1847.

MINUTES.] PUBLIC BILLS.—3° and passed:—Markets and Fairs Clauses; Commissioners Clauses; Gas Works Clauses; Water Works Clauses.

PETITIONS PRESENTED. By Mr. C. Howard, from Halston, for Alteration of the Law respecting the Registration of Voters.—By Sir G. Grey, from Devonport, for Alteration of the Law of Marriage.—By Sir J. Y. Buller, from Powderham, and Mr. C. Round, from White Roothing, against the Roman Catholic Relief Bill.—By Mr. Brotherton, from Llanelly, against the Use of Grain in Breweries and Distilleries.—By Colonel Lindsey, from Wigan, for Inquiry respecting Cotton (India).—By Mr. C. Round, from White Roothing, for a Day of Humiliation on account of the Famine in Ireland.—By Mr. B. Chapman, from Hore and Collinstown (Westmeath), for Alteration of the Law relative to Landlord and Tenant (Ireland).—By Mr. R. Gore, from New Ross, for Alteration of the Law respecting Municipal Corporations (Ireland).—By Mr. G. Hamilton, from several places, against Union Rating (Ireland).—By Mr. R. Gore, from Wexford, for Alteration of the Poor Law (Ireland).—By Mr. G. Hamilton, from the Electoral Division of Collon, against the Poor Relief (Ireland) Bill.—By Mr. T. Duncombe, from John Epps, 89, Great Russell Street, London, in Favour of the Poor Relief (Ireland) Bill.—By Mr. Henley and other Hon. Members, from several places, for Repeal or Alteration of the Poor Removal Act.—By Mr. R. Gore, from New Ross, and Mr. S. Wortley, from David Bell, Glasgow, in Favour of the Ports, Harbours, &c. Bill (1846).—By Mr. Muntz, from Retail Brewers of the Midland Counties of England, for Alteration of the Law respecting the Sale of Beer.

ARREST FOR DEBT (IRELAND) BILL.

SIR H. W. BARRON moved the Second Reading of the Arrest for Debt (Ireland) Bill, which had for its object that no man be imprisoned for a debt under 20*l*. His wish was to assimilate the law of Ireland to that of England in this respect. There was no good reason why it should not be so; for Ireland was the poorer country, and, consequently, stood in greater need of the intervention of the Legislature. He had heard no objection urged against the principle of the Bill; it had been published throughout Ireland for upwards of a month, yet there was not a single petition against it. The failure of the potato crop rendered thousands unable to meet their little engagements; and, under the present law, they would be thrown into gaol, or else be compelled to fly from their homes in order to avoid the civil bill process. It became, therefore, the more incumbent on Parliament to interfere at this particular crisis. He did not now ask the House to proceed with the Bill at once, but only to sanction its principle by assenting to its second reading. It might then be committed *pro* *formâ,* and referred to a Committee up stairs, who would examine into its details. He would prefer the Government taking charge of the measure; and if the Solicitor General for Ireland would do so he would not urge any claim to its paternity. He had consulted several legal gentlemen in Ireland, who were all in favour of it, as was, indeed, generally speaking, the whole Irish bar, even the law adviser to the Lord Lieutenant. He had already postponed it at the request of the Government, and did not think he should be doing justice to the merits of the measure if he asked for a further postponement. He moved that the Bill be read a second time.

Mr. MONAHAN did not deem it consistent with his duty to accede to the second reading of this Bill. The object of the Bill was by one sweeping clause at once to abolish arrestment for debt in Ireland where the amount did not exceed 20*l.* Now, those who were aware — as many Gentlemen in that House were — of the number of debts contracted in Ireland the amount of which did not exceed 20*l.*, would at once see what an immense change in the law, and of what had hitherto been the rights of creditors, would be effected by a Bill of this description. He did not mean to say that this was not a matter deserving the serious consideration of any body interested in the well-being of the country and the advancement of the people; but certainly it was utterly impossible that the House could accede to a measure of this description unless they meant to give facilities that did not at present exist in Ireland to prevent the payment of debts to *bonâ fide* creditors. No one entertained a greater sympathy than he did for the man who in an honest spirit contracted a debt which he afterwards had not the means to discharge; but he had no sympathy for the man who dishonestly contracted a debt which he fraudulently and dishonestly withheld from the *bonâ fide* creditor. He hoped the House would excuse the deficiencies which he himself felt in addressing them on this occasion. It was the first time he had had the honour to address the House. He had been for so short a time a Member of it, and his time had really been so much occupied since he came from Ireland, that he had not been able to give his attention to the safeguards which it would be absolutely necessary to provide before the principles of a Bill of this description could be acceded to. A Bill precisely similar to that now brought forward by his hon. Friend was passed for England in the 7th and 8th of Victoria; but the country felt that this was such an imperfect act of legislation, that next Session very considerable safeguards were introduced for the protection of creditors—safeguards which, unfortunately, could not at present be extended to Ireland. In England there were commissioners of bankrupts all over the country, and local judges, before whom all cases of debt under 20*l.* came for adjudication, and by the decisions of which the property of the debtor was rendered available for the payment of the debt. But they had no such judges in Ireland—no machinery similar to that of England to carry out a Bill of this kind. He felt bound, therefore, on various grounds, to oppose the Bill. At the same time, he might state that this matter was under his serious consideration. He could not pledge himself at that moment to any particular course; but he had no hesitation in saying, that he would lay before Her Majesty's advisers a measure to be submitted to that House. If the hon. Gentleman, therefore, would leave the matter in his hands, he would, as indeed he was now doing, give it his best consideration, the result of which would be submitted to Her Majesty's Government, and probably adopted by them. If, however, this suggestion were not acceded to by the hon. Gentleman, he must feel it his duty to oppose the second reading of the Bill.

Mr. SHAW, though generally favourable to the assimilation of the Irish to the English law, must oppose the present Bill, which, owing to the different circumstances of the two countries, would in his opinion operate most injuriously in Ireland. After the statement of the hon. Member, he would not trespass on the patience of the House. However desirable it might be to assimilate the law of arrest in Ireland to the law as it existed in England, he was of opinion that there were faults in the latter which were of great magnitude. He was satisfied to leave the matter in the hands of the learned Solicitor General.

Mr. M. O'FERRALL thanked the hon. Baronet the Member for Waterford for bringing in this Bill, of which Ireland at this moment stood greatly in need. He knew that hundreds were confined in the gaols of that country for debts of 5*s.*, 6*s.*, and 7*s.*, whilst their wives and children at home were in a state of starvation, and had not a farthing to pay off the demand. He hoped the Solicitor General would very soon redeem his pledge, and that the Irish law in this respect would undergo a complete revision and alteration.

MR. M. MILNES said, he had put his name to the back of the Bill because he had himself seen in Ireland the most painful and shocking effects of the present law. He believed the object of the hon. Member who brought forward the Bill was, to a certain degree, to limit the jurisdiction of the inferior courts. The law in Ireland was, it could not be denied, as regarded debtor and creditor, in a deplorable condition, and contrasted most unfavourably with our recent legislation for the people of England in this regard. It was impossible for a traveller in Ireland who entered the gaols there not to be struck with the enormous number of poor people who were confined therein for debts so ridiculously small that the release of them was often a piece of amusement. In some cases persons had been imprisoned in the Irish gaols for two or three years for debts not exceeding 10*s*.; in fact they were kept there to gratify the revenge of the creditors. At present there was what he might justly term an extreme facility of civil bill process. Fictitious suits were, in consequence of this facility, often got up, and persons often got up a Bill against their near relative for diet and lodging, and placed those persons whom they were bound to maintain in the county gaol. The effect of the present system was, that the Irish gaols were crowded with persons whom public opinion in this country would not suffer to be incarcerated for a single hour. He supposed the Bill of his hon. Friend the Member for Waterford would not meet with much support among the lawyers on account of its painful simplicity and brevity. He feared that if the matter was now postponed, the Government would avail themselves of the very valid excuse which they would have, that the pressure of public business would not allow them to bring it forward during the present Session, and so the evil would remain to its full extent.

MR. SHARMAN CRAWFORD thought a Bill of this kind imperatively called for in Ireland. There was the greatest degree of persecution inflicted on the poor of Ireland by this power of arrestment. To that power was to be traced the fact that no fewer than 2,000 processes had been issued at Castlebar against poor tenants for sums which they were wholly unable to pay, and which might be used against them for the most oppressive purposes. He hoped the hon. and learned Gentleman the Solicitor General for Ireland would not forget his pledge. He felt the need of some such measure for Ireland, and he therefore considered it to be his duty to urge the subject upon the consideration of the Government.

MR. GROGAN opposed the Bill, observing that the very announcement of the measure spread alarm among the citizens of Dublin, because while it proposed at one "fell swoop" to abolish imprisonment for debt, it did not provide any substitute for recovering just and *bonâ fide* debts. Still he was glad the subject had been taken up by Government; and he trusted, after the pledge of the hon. Gentleman the Solicitor General for Ireland, the Bill would be withdrawn.

MR. P. SCROPE hoped the Government would pay attention to this subject. The greatest evils resulted from civil bill process for debt. He had received a letter, which he now held in his hand, from a competent authority, in which the writer stated that the assistant barrister for the county of Mayo was almost wholly occupied with these civil bill processes, by which poor cottiers were turned from their farms. [Mr. SHAW: You mean ejectments.] He meant nothing of the kind. He knew the difference very well, and he now held in his hand three of these self-same civil bill processes. The writer stated, that at Ballina and that neighbourhood the landlords were resorting to the civil bill process in order to clear their estates; for the poor wretched peasant who had, owing to the destruction of his potato crop, no means of paying his debts, flew from his home sooner than be thrown into prison and separated from his wife and children; and in this way the landlord obtained possession, and his object was achieved. This system was in that part of the country to a great extent successful. At the quarter-sessions in Ballina, on the 11th of January, between 1,500 and 2,000 of those civil bill processes were tried, and that number actually proceeded to entry and decree. But there was a far larger number in which the parties did not appear at all, but the same effect was produced, and the same object gained, the clearance of the lands. The usual process was for landlords to distrain for their rents; but this did not take place until after the rent was due for some months. But in the cases he had mentioned, some of the Mayo landlords, by making use of the civil bill process, or threatening arrests for the debt, succeeded much better, more speedily, and effectually in clearing the land, than if the ejectments were resorted to. He was assured that the prisons there were almost full of a starving peasantry, whilst their families and children were also starving outside the walls, and thousands upon thousands were obliged to emigrate from their native place and wander to the quays of Drogheda or Belfast, whence they soon found their way to Liverpool, Bristol, or some other English port. He had received a letter from the Rev. Mr. Neary, the parish priest of Tyrawley, in the county of Mayo, which stated that there were in that parish, in September last, 1,000 families; but at the present moment, owing to the above mode which the landlords of that county resorted to for the purpose of getting rid of the surplus population, there were not more than 500. The rev. gentleman further stated, that not more than thirty families in that parish possessed the means of maintaining themselves; and that he verily believed, if the landlords were allowed to go on, before August next, there would not be two hundred souls there. The poor people so ejected formed a large number of those employed upon the public works; and it behoved the people of England to see that the public money was not spent in ministering to the inhumanity of such landlords, and to put an end to a system by which this country was inundated with Irish labourers, at a time when the English ratepayers were so heavily burdened for the support of their own poor. He called emphatically upon the Government, and upon the people of England to look to this. He understood further, that when the poor occupants refused to quit their wretched houses, the landlords, who were members of the relief committees, refused to allow them to be employed upon public works; so that they had no alternative but to quit the country, and fly, thus increasing the burdens of pauperism, and thus doubly taxing the English taxpayer. He would say only, in addition, that he gave his cordial assent to the Bill.

Mr. SMITH O'BRIEN thought the hon. Member for Waterford would act wisely in leaving this matter in the hands of the Government. His object in rising was to suggest to the Government whether, considering the existing circumstances of the country, some temporary measure might not be introduced with a view of enabling the assistant barristers, upon cause shown, to stay the execution of processes in such cases as those stated by the hon. Member for Stroud, and where parties subject to process were not endeavouring to evade debt, but were *boná fide* unable to pay.

Sir R. FERGUSON thought this a very good suggestion. Another suggestion he would make was, that provision should be made for the support by the plaintiff of parties against whom execution was taken out personally. With regard to the statement brought forward by the hon. Member for Stroud respecting Mayo, he did not consider that 1,500 or 2,000 processes was so unusual a thing; it might be unusual in Mayo, but it was not unusual in other places. It was not to be supposed that these were all for rent; they included every other species of debt, and the courts discountenanced the civil bill processes as a means of recovering rent. He believed that the reason why there were more arrests for debt in Mayo now, than upon other occasions, arose from the effects produced by the Act of last Session.

Sir G. GREY hoped the hon. Baronet would consent to withdraw his Bill, and leave the matter in the hands of the Government, who would give their best consideration to the subject. If the hon. Member declined to accede to his request, he should have no alternative, but be obliged to move that the Bill be read a second time that day six months.

Mr. BICKHAM ESCOTT likewise hoped that the hon. Baronet would not press the question to a division. At the same time, he must say he thought the principle of the Bill must be extended to Ireland. There was no reason why the same law affecting arrest for debt should not apply to Ireland as existed in England and Scotland. The right hon. Gentleman the Recorder for Dublin had said that the alteration of the law of arrest for debt in England had not worked well. He believed the reason why the alteration had in the first instance operated prejudicially to the creditors, was, because there were not then local tribunals for working it; since then, the right hon. Gentleman would find that it had operated well.

Mr. STAFFORD O'BRIEN was quite willing that the same principle as to arrest for debt should be adopted in Ireland as in England; and he did not think that the people of Ireland were averse to that principle. But as to the mode of carrying that principle into effect, he preferred leaving it in the hands of the Solicitor General for Ireland; and he trusted that the hon. Baronet would withdraw his Bill. The hon. Baronet the Member for Londonderry (Sir R. Ferguson) had so well answered the statement made by the hon. Member for Stroud (Mr. P. Scrope), that he should not trespass further upon the House with reference to that matter. It would seem that nothing could be done for Ireland, but by the landlords of Ireland. Now, the Bill for facilitating the sale of estates in Ireland, would bring such estates into the market, some in the most disturbed and unimproved and barren parts of Ireland; and he did hope to see the hon. Member for Stroud become the purchaser of one of those estates, and take up his abode there, and perform the duties of an Irish landlord. He could assure the hon. Member that he would meet with a hearty welcome and ready co-operation in all his attempts to carry his plans into execution. But he warned him that he would meet with difficulties which he did not foresee, and obstacles which it would require all his nerve and energy to overcome. Still, if he assumed the position of an Irish landlord, he would receive his reward; and if he returned to this country, he would return a wiser and a better man.

Sir H. W. BARRON thought it would be exceedingly imprudent to divide the House on the question; but before he withdrew the Bill, he wished to ask whether it were the intention of Her Majesty's Government to bring in any Bill this Session on the subject?

Mr. LABOUCHERE had not had the advantage of hearing the debate; but with regard to the question of the hon. Baronet, he could state that the Irish Government were extremely anxious and desirous to bring forward a measure on the subject referred to; at the same time, he hoped he should be excused for exercising caution in giving any positive pledges for the Session. There were a great many measures relative to Ireland already before the House, and other measures contemplated; therefore he hoped he should not be expected to give any positive pledge on the point. The Solicitor General for Ireland would consider the subject; and he hoped that during the present Session, the Government would be able to carry into effect a measure that would prove satisfactory.

Sir H. W. BARRON: Will the right hon. Gentleman object to a Committee up stairs on the Bill?

Mr. LABOUCHERE did not think that would answer the purpose, and that the Bill had far better be left in the hands of the Solicitor General for Ireland.

Bill withdrawn.

DRAINAGE OF LAND.

On the Question that the Speaker do leave the Chair for the House to resolve itself into a Committee on the Drainage of Land Bill,

Mr. WILLIAMS wished to make a few observations connected with the rate of interest in this Bill. That rate of interest was to be six and a half per cent for twenty-two years, when principal and interest would be extinguished. That was calling for a rate of interest not exceeding three and a quarter per cent. [An Hon. Member: Three and a half.] Well, if the hon. Member had made the calculation, he would not not dispute it with him; but at any rate he wished to remind the House that this was a less rate of interest than the Government paid for their loans. He thought that the people of this country ought not to be taxed for noblemen and landed proprietors, whom this Bill was intended to benefit, particularly as in all probability the interest or money would reach a still higher rate. He, therefore, thought that a higher rate of interest ought to be introduced into this Bill.

Sir G. GREY said, the hon. Member was rather late in making his objection, as there was no alteration now in the Bill passed last year.

Mr. H. J. BAILLIE said, the faith of Parliament was pledged to this measure last Session, and it could not now be violated.

Mr. HUME agreed with the hon. Member for Coventry that the people ought not to lose by this measure, and wished to know if it was the intention to make those parties who had borrowed money under the Bill pay the difference of interest between the rate at which it had been lent, and that at which money now was. When the interest of money was likely to become higher, he wished to know if there would be any objection to insert a clause in the Bill compelling persons to pay a higher rate of interest for the money to be advanced than was now contemplated? He hoped the Government would take some measures to limit loans to individuals, and allow time for people to make their applications, and that they would not make any payments until all the applications had come in.

Sir G. GREY stated, that many landed proprietors, particularly in Scotland, relying on the faith of Parliament, as pledged last year, had expended money in this way to a very large extent; and it was remarkable that the measure which had at first been proposed as a boon to the landed interest, had been found most available for the relief of distress in Scotland; so that there had not been more than 300*l.* or 400*l.* granted by Government for the relief of distress in Scotland, the remainder having been advanced out of the pockets of the landlords, on the faith of the money being repaid under this Bill. With regard to the limitation of grants made to individual proprietors, he proposed to introduce a clause which would meet the hon. Member's views.

Mr. AGLIONBY thought this was a subject much better to be discussed in Committee; and, although there was a good deal of truth in what had fallen from the hon. Member for Montrose, yet it would be counterbalanced by a breach of public faith.

House in Committee.

On Clause 1 being proposed,

Mr. OSWALD stated, with regard to the proposal to limit the amount granted to individuals, that an hon. relative of his own, who had advanced a large sum on the faith of this loan, was willing to restrict his claim to 15,000*l.*, and give up 25,000*l.* Whether this measure was enough to relieve the distress in Scotland it was not for him to say; but he trusted that if it were not, the chieftains would not be indifferent to the sufferings of their people.

The Earl of LINCOLN objected to the plan to extend the advantage of the loan from its original purpose of draining, to fencing and other agricultural purposes. The very lowest estimate made of the money required for a thorough draining of the lands in England and Scotland was from 20,000,000*l.* to 25,000,000*l.*; and if the sum of 2,000,000*l.*, to be actually granted, was extended to fencing as well as draining, its usefulness would be frittered away.

Sir G. GREY explained, that in many cases, unless means of fencing were afforded, it would be useless to drain. That was the reason for extending the Act of last Session, so as to include fencing.

Viscount DUNCAN wished the Government would give precedence in this Bill to the Highland proprietors, who were struggling with severe distress in their districts without asking for Government grants, and who were, therefore, entitled to the full benefit of the present measure. There was another reason for confining the measure to the Highlands, because he could state for that part of the Lowlands with which he was connected—he meant the county of Forfar—that wages in that county were fifty per cent higher now than they had been for several years past. He could not help thinking, that if the Government would relax the law of entail in Scotland, the proprietors, instead of borrowing at the Treasury, would borrow from ordinary sources, of course the consent of the heirs of entail being rendered obligatory. That, he thought, would give great satisfaction to Scotland.

Viscount MORPETH thought that if the Government were to adopt the suggestion of the noble Lord the Member for Bath, and lay it down as a principle that they would entertain no application either from England or from the Lowlands of Scotland, they would be guilty of a breach of faith as great as that which had already been adverted to. He thought that the provisions of the Bill proved that the case of the Highland proprietors was foremost in the minds of Her Majesty's Government, and they had taken the best means to secure attention to their claims by being the first to move in this matter. It would be found, in point of fact, that of the whole amount of 2,000,000*l.* to be advanced under the Bill, about three-fourths would go to Scotland. On the other hand, the noble Lord the Member for Falkirk need not fear that the amount voted would be frittered away in other improvements than that of drainage, because, in fact, it would not be advantageous, either in the Lowlands of Scotland, or in England. Its benefits would be exclusively confined to those wide pastoral districts where arable land bore a high value. In fact, no applications for money to trench or fence had yet come from England; and no one need fear that such would come in future, as he feared that more than a sufficient margin of application had already been sent in, and that they would not be able to entertain more applications. With regard to the Highlands, he might state that he had seen returns regarding an estate in Inverness-shire, that the expense of draining and fencing there would amount to 18*l.* per acre; and before any money could be granted, they must prove that the works would add a clear additional value of 1*l.* 5*s.* per acre. It was of course hopeless to expect that this additional value would be gained in ordinary operations.

LORD G. BENTICK: Sir, I cannot at all concur in the dismay with which the noble Lord the Member for the city of Bath sees the rise of wages among the labouring classes in Forfarshire. I must confess that I heard with great surprise sentiments of this kind proceeding from the noble Lord the liberal Member for the city of Bath, who appears to desire to grind down the labouring classes to the lowest possible amount of wages. I must confess that I heard with great pleasure the fact that wages have risen in Forfarshire, in proportion to the rise of the price of food in this country; and if it be that the effect of this measure, in lending 2,000,000*l.* for the drainage of land in Great Britain, should be generally to raise the amount of wages throughout Great Britain, I shall greatly rejoice in it. Neither can I concur with the sentiments of the hon. Gentlemen the Members for Coventry and Montrose, who wish to raise the amount of interest on the loans afforded by Government. The hon. Gentlemen have expressed great alarm lest the interest on the Exchequer-bills should be raised, and lest the interest upon money should rise to 4 per cent. But, if I am not greatly misinformed, the money market is not yet so greatly exhausted but that in the late competition for 8,000,000*l.* the amount offered was nearer to 80,000,000*l.* sterling than to eight. The Chancellor of the Exchequer may, perhaps, be able to inform us on this point; but the report in the city has been, that the bidding for shares in Messrs. Rothschild and Baring's loan exceeded 80,000,000*l.* sterling. Is it not so? [The CHANCELLOR of the EXCHEQUER: Not that I heard of.] I heard that the applications for shares in the loan exceeded 80,000,000*l.* sterling. If so, I think we need be under no alarm that we shall exhaust the money market in seeking to borrow the sum of 2,000,000*l.* sterling for the improvement of land. I am sorry to hear that there is to be a restriction in the amount to be advanced. I really do not understand how a measure intended to operate as a compensation in some degree for the repeal of the corn laws, can be so limited and restricted. I confess that at first sight it does appear inconsistent that any portion of the money advanced for the purpose of draining should be expended on fences; but as a Scotch proprietor I can state from experience that, in many instances, as much advantage is derived from fencing as from draining. In many districts the erection of stone walls for sheep is as necessary as draining, because the greatest difficulty is found in keeping sheep from going adrift in winter. I find that my tenants pay as high a rate of interest for money expended in erecting "stone dykes," as they are called, as they do for the construction of drains.

SIR G. GREY said, that the Bill did not authorize an outlay for fences but in cases where the land had been drained.

VISCOUNT DUNCAN begged to explain. He could assure the noble Lord the Member for Lynn, that he had no wish to grind down wages. His wish was that every labourer, whether working under a Ten Hours Bill or not, should have a fair day's wages for a fair day's work. What he stated was this, that at the present rate of wages in that part of Scotland to which he belonged, he thought it would be injudicious in the Government to encourage the landlords to borrow money for the purpose of draining their lands, because he did think that at the rate of wages which existed, the improvement would not repay them in the same mode it would have done were the wages lower.

MR. HENLEY hoped the Government would take up the subject of a drainage Bill, giving power to enter upon any lands to complete the drainage of others; for land could not be thoroughly drained without a proper vent for the water. He was afraid the money granted by this Bill would be frittered away, though in the present state of Scotland he would not object to the Bill.

MR. AGLIONBY also pressed for a Bill with powers to make outlets for the water. A great drawback to improvement was the copyhold tenures and the manorial rights and fines on death and alienation; ecclesiastical leaseholds were another obstacle, as the fines were payable on the improved value; and he wished for an equitable adjustment of these matters, to the improvement of the interests of all parties.

MR. HOPE said, with respect to entailed estates in Scotland, there was a power under the Montgomery Act to charge three-fourths of the money spent for improvements on the entailed estates; what he wished to know was, whether there was any intention to extend the powers of that Act, or to give powers of sale?

The LORD ADVOCATE said, that the powers under that Act had been so much used, that if they were extended, the proprietors would soon be in a condition that they would not be able to go on, for if they charged the estates to the full extent of two-thirds, there would be only one-third left for the heir, and to bear all public burdens; and the great object contemplated was to give a power, not of making additional charges, but of making sales, and by these means disencumbering the property.

MR. BICKHAM ESCOTT said, that if he thought there was the slightest chance of getting rid of the Bill, he should detain the House at greater length than he meant to do at present, as he knew that opposition would be hopeless. He thought that the Bill was one of which all the landlords in the kingdom might feel considerably ashamed. It was the result of an arrangement entered into between the late Government and some other parties. The object of the Bill was to put money into the hands of those who did not need it. The owners of land were well off at the present moment, and stood in no need of compensation. If money was to be advanced to such parties, similar favours ought to be shown to persons unconnected with the land.

The EARL of LINCOLN said, that the hon. and learned Member seemed to make particular reference to him when he spoke about the Bill being the result of an arrangement between the late Government and some other parties. He entirely repudiated any such arrangement. What he said was, that the faith of Parliament was pledged, seeing that it consented last year to the principle of advancing certain sums of money, at a certain rate of interest, not to raise that rate of interest to parties who had applied for advances.

Clause agreed to.

On Clause 2 being proposed,

MR. FORSTER moved, as an addition—

> "Provided always, that correct plans or tracings of the drainage, as finally effected, be deposited with and preserved for public use and inspection by the Commissioners."

VISCOUNT MORPETH thought that the adoption of any such rule would be productive of much delay, inconvenience, and expense. In the case of Macleod, of Macleod, whose property extended to 150,000 acres, the operation of such a clause would be exceedingly burdensome, and the same inconvenience would apply to similar tracts of land. Besides, it should be borne in mind that the Bill provided that, during the currency of the twenty-one years over which the payment of the advance was to extend, an annual inspection of the drainage was to be made.

MR. E. ELLICE thought that the utmost discretion, compatible with the security of the money advanced should be allowed to the Scotch proprietors in the way of conducting their operations. Unless care were taken, the preliminary expenses connected with the advance would form an enormous per centage on the sum borrowed.

Amendment withdrawn. Clause agreed to.

Clauses 3, 4, and 5, agreed to.

On Clause 6,

SIR G. GREY said, he had an Amendment to propose. The Bill, as it stood, provided that the works should be completed in three years from the time of granting the certificate, with a discretionary power to the Commissioners to extend it for one year. The object of this limitation was to prevent the money being locked up, to reduce the number of large applications from individual proprietors, and to diffuse the grants as widely as possible. It had been suggested that this object would be more directly obtained by limiting the pecuniary amount of the grant. It was therefore proposed, in ordinary cases, that no provisional certificate should be granted for a larger sum than 15,000*l.*, and that the period for its being expended should be enlarged from three years to five. In order to meet the case of the Highland proprietors, a discretionary power was given to the Commissioners; where there was a large unemployed population, and it could be shown that a larger amount would be expended in three years, a larger advance should be made.

SIR J. GRAHAM said, the alteration proposed by the right hon. Baronet so much improved this clause, that he (Sir J. Graham) had much distrust in his own judgment in making any observation at all hostile to it. He thought some limitation of the pecuniary amount was indispensable, for it appeared that the sums already applied for under the former Bill amounted to 2,800,000*l.* The circumstances of the Highlands of Scotland entitled them to the favourable consideration of that House; and he thought it right that some discretionary power should be vested in the Treasury or some authority to allow a deviation from the inflexible rule, which he had feared was to be rigidly adhered to, that the applications were to be taken in the precise order in which they arrived. If that rule were rigidly adhered to, the object of this Bill would be defeated. He did not apprehend that the interests of individual proprietors were sought to be consulted by this measure. The great object of it was to increase, on perfect security, by public aid, within the shortest time, the gross amount of human food to be raised in this country. He very much doubted the expediency of making such large grants to large proprietors of land as under this Bill were proposed to be made. Men who possessed large estates either had the command of capital or possessed sufficient credit to obtain any loans which the improvement of their estates might render necessary; therefore, those who could give security for large loans were precisely the parties who did not stand in need of any assistance from the State. It was the yeomanry and the small proprietors who found a difficulty in borrowing money; their credit did not stand so high as that of their wealthier neighbours, while their estates needed improvement quite as much. It appeared to him that the operation of these loans ought to be diffused as widely as possible; and he, therefore, should never have thought of fixing the proposed limit so high as 15,000*l.* If sums so great as 15,000*l.* were granted, it was quite evident that 3,000,000*l.* would not satisfy the just and reasonable claims of those who most required assistance. By fixing the proposed amount at 10,000*l.*, a sufficient sum would, in his opinion, be set loose to satisfy all fair claims; whereas, if the Government adhered strictly to the rule of 15,000*l.*, many very fair claims must necessarily be rejected. The object of the measure ought to be, especially as regarded the Highlands, not so much to comply with the wishes of a small body of landlords, as to give efficient assistance to a great number of small proprietors and yeomanry. He trusted that the Government would seriously consider the point that he had brought under their consideration; and, by reducing the sum from 15,000*l.* to 10,000*l.*, effect a great improvement in the Bill.

LORD G. BENTINCK thought that an increase in the amount of money to be lent, say 3,000,000*l.* instead of 2,000,000*l.*, would render the attainment of the objects proposed by the Bill more certain. The objects of the Bill were said to be two: first, to give employment and food to the people; and, secondly, to increase the quantity of the produce of the land. As far as these objects were concerned, it did not matter whether the loans were granted to large proprietors or small ones; and, as it was admitted on all hands, that the security was good, he could not see how the State could lose anything. He thought all the evidence before Parliament went to show that large sums were necessary for the improvements required in the Highlands; and he hoped that if any other plan were pursued, the first comers would always be taken. The Government would otherwise be placed in an invidious position, and might be subjected to the suspicion of showing partiality to their own friends.

VISCOUNT DUNCAN said, that the interest of the additional money which the noble Lord (Lord G. Bentinck) proposed to raise, would have to be paid by the working classes, and therefore he deprecated such a course. He agreed with the right hon. Baronet (Sir J. Graham), that the loans to each individual should be limited to 10,000*l.*

LORD G. BENTINCK, with regard to the working classes having to pay the interest of the money, thought the noble Lord who had just sat down, who made that statement, could not have read the Bill now before the House, or the Act passed last year, or he would have learnt that every landowner to whom a loan was granted was to pay 6*l.* 10*s.* per cent per annum for twenty-two years, by which both principal and interest was discharged. That was his reply to the noble Lord.

MR. AGLIONBY said, that the answer of the noble Lord the Member for Lynn did not appear to him to be quite satisfactory. The hon. Member for Montrose had shown that the State would have to borrow at one rate of interest, and would be repaid at another and a lower rate; so that a portion of the interest on the advances would be thrown on the taxes of the country. He rose, however, principally for the purpose of stating that he entirely approved of the suggestion of the right hon. Baronet the Member for Dorsetshire (Sir J. Graham) for limiting the advances to 10,000*l.* instead of 15,000*l.* It was most desirable that the larger proprietors should not absorb more than their fair share of the advances, and that the smaller proprietors, whose resources were necessarily more circumscribed, should receive under that Bill the means of improving their land. He wished to know whether Her Majesty's Ministers had any returns before them, or had been put in possession of any information, by which they could ascertain what portion of the applications hitherto made could be met in case the advances were limited to 10,000*l.* or 12,000*l.*?

Mr. ELLICE hoped that the Government would seriously consider the proposition of the right hon. Member for Dorchester. Its adoption would effect a great improvement in the Bill. As to the difference between the rate at which money was borrowed, and that at which it was lent, he rather believed it would not prove to be a matter of much importance, and that the public would suffer very little by the result, whereas a great addition would be made to the future productiveness of the soil. He thought that the Government were entitled to the thanks of the country for the attention which they had bestowed upon this subject; and he felt assured that it would lead to many advantageous consequences, especially in that part of the country with which he was more immediately connected.

Lord G. BENTINCK said, that in answer to the statement of the hon. Gentleman the Member for Cockermouth (Mr. Aglionby), he would appeal to the right hon. Gentleman the Chancellor of the Exchequer, if it were not true, that while the loan of 8,000,000*l.* for Ireland had been contracted at the rate of 3*l.* 7*s.* 6*d.* per cent interest, the advances under the Bill before the House would be repaid with interest equivalent to 3*l.* 10*s.* per cent. Now, if that were so, the public would be a gainer to the extent of 2*s.* 6*d.* interest on every 100*l.* advanced under that measure; and the working classes of this country would not lose, but would benefit by the transaction.

Sir G. CLERK rose to repeat on his own behalf the question put by the hon. Member for Cockermouth. Were the Ministers able to say that, by effecting the proposed reduction from 15,000*l.* to 10,000*l.*, they could set free so large a sum as would enable them to meet all well-founded claims?

Mr. HENLEY supported the suggestion of the right hon. Member for Dorchester. The large proprietors had made a run at the money, and he thought that the small proprietors ought to be assisted.

Mr. J. COLLETT said, he believed that the advances under the Bill would be repaid with interest equivalent to 3*l.* 3*s.* per cent, and not 3*l.* 10*s.*, as was stated by the noble Lord the Member for Lynn. But at all events that measure would enable landowners to get money on more favourable terms than any on which they could otherwise obtain it.

Captain GORDON supported the proposition of the Government. If Ministers would adhere to the original limitation of 15,000*l.*, and divide the House upon it, he would vote with them. There were many owners of large entailed estates who could not otherwise improve those estates than by taking advantage of the present measure.

Sir G. GREY, in reply to a question put by Captain Harris, said, that the Highlands formed an exceptional case. If districts were distressed, and the labour intended to be applied in the improvement of estates were to be performed by the inhabitants of those districts, then the Commissioners possessed a discretionary power to extend the limit beyond 15,000*l.*

The CHANCELLOR of the EXCHEQUER said, that from unwillingness to impede the progress of business he had not sooner risen. He did not suppose that the public would sustain any loss from the proposed aid to the proprietors of land; on the contrary, he thought there were very satisfactory grounds for believing that the interest and principal of the money advanced by the State would be fully repaid. With reference to the observations made on the other side, he agreed mainly in what had been said; and he should not say he was sorry, but, on the contrary, he was glad, that large demands had been made; at the same time, they were not to lose sight of this, that requests for large sums were made by parties respecting whom there was every reason to suppose that they did not expect to obtain all that they asked for. He did not by any means deny that the greater the number of individuals to whom the operation of the measure extended, the more beneficial would be its effects upon society at large. He need scarcely say that the Government had no other object but to promote employment and productiveness; and, as there seemed to prevail in the House a very general impression that there ought to be a further reduction of the highest sum to be granted, he willingly consented to take into consideration the suggestion made by the right hon. Member for Dorchester. It was almost superfluous for him to add, that all the demands made upon the proposed fund could not be complied with, the more especially as applications were made for enormous sums to drain estates where the extent of land was small. He repeated, that the Government would seriously consider the suggestion of the right hon. Baronet, and make up their minds before the Bill was reported.

SIR J. GRAHAM was perfectly satisfied with the assurance which the House had just heard from the right hon. Baronet. If the Government inquired into the matter, they would find that the rule of 15,000*l.* would impose upon them the necessity of rejecting many claims, which adopting that of 10,000*l.* would enable them to meet.

MR. S. HERBERT did not quite agree in the general opinion as to the expediency of this limitation. The Bill had changed its character very much since it had first been introduced; it was then intended to be a compensation to the agriculturists for the removal of certain privileges—by enabling them to improve their lands by means of loans from the State. By the intervention of unforeseen circumstances, the Bill was now made to embrace other objects. The advances were made not so much to the landowners as on the land, and in order that the money might be spent on it. When a proprietor had property in three different counties, it might operate very badly that two of those properties should be left unsupplied because he had gone to the full extent of his claim on the first.

MR. AGLIONBY denied that the money was lent to the land. The object was to increase the general productiveness by lending money to those proprietors, especially the smaller ones, who could not obtain it in any other way.

MR. CAYLEY said, that the money proposed to be advanced by this Bill would be put to productive use by those who received it; and it would be well afterwards that more should be advanced, under another Act of Parliament, to the smaller proprietors, who would be ready then to profit by the example already set them by the larger proprietors.

MR. B. DENISON thought that the money should be divided as equally as possible among the applicants. He thought it would be most unfair to exclude the smaller proprietors in the first instance, by allowing the amount of the money to be first absorbed by the larger proprietors. The men of small means were those who most wanted the money.

Amendments agreed to, and clause agreed to.

Other clauses agreed to. The House resumed.

Bill to be reported.

LANDED PROPERTY (IRELAND) BILL.

On the Motion for bringing up the Report on the Landed Property Bill,

MR. WILLIAMS said, that the House would see that there was an additional grant of half a million given by this Bill to the landlords of Ireland. He believed that the amount of money applied for had been very limited, and he should wish to know whether the million originally granted had been exhausted before an addition of another half million was made.

Bill reported.

VISCOUNT NEWRY moved a clause, to enable trustees, through an application to the Court of Chancery, to make permanent improvements by monies in their hands.

Clause brought up, and read a first time.

On the question that the clause be read a second time,

The CHANCELLOR OF THE EXCHEQUER said, the clauses proposed were not at all within the scope and intention of the Bill, and that they would have been very proper to introduce in the Trustees Bill passed two years ago.

VISCOUNT NEWRY replied, that his desire was merely to give power to trustees to advance their own money for the improvement of the estates in their charge. He did not ask for a loan. In cases of forced sales of land to railway companies, to what better purpose could the purchase money be applied than to the improvement of the remainder of the estate?

MR. M. J. O'CONNELL urged upon Government the necessity of reconsidering their decision upon this clause. Large sums of money would have to be invested out of the country without some such provision as the one now proposed.

MR. HUME said, it appeared to him that if private individuals could be found to advance money to improve property in Ireland, it would be much better to take it from them than from the public purse.

The CHANCELLOR OF THE EXCHEQUER had received many valuable suggestions respecting this Bill from various

Members; but, like the present proposed clauses, they were quite inapplicable. They were no doubt very desirable things to be done, but not calculated to be introduced into that Bill. Parliament had of late very properly set its face against this incongruous style of legislation.

The EARL of LINCOLN agreed with the right hon. the Chancellor of the Exchequer in thinking that the proposed clauses could not fitly be introduced into the Bill then before the House. It could not be denied, however, that the present was the fitting time for carrying out the objects embodied in those clauses; and he trusted that the Government would take the same view, and devote their attention to the subject. It was most desirable, not only with a view of saving the public money, but also for the purpose of enabling and encouraging parties to spend their money in Ireland instead of investing it in other directions, that greater facilities should be granted than now existed for improving land. If any legal Member of the Government would turn his attention to the subject, he had strong hopes that a Bill for carrying this object into effect might be passed in the present Session. In his opinion such a measure ought to include England as well as Ireland in its provisions; and he would recommend that the measure introduced by the Duke of Richmond about a year ago, and that brought in by the hon. Member for Berkshire, two years previously, should be taken as the basis of legislation. He could not help thinking that an effort ought to be made by the Government to take advantage of the existing feeling with respect to Ireland, and he had no doubt that under the present circumstances such a Bill might be passed this Session.

MR. SHARMAN CRAWFORD concurred in the proposition of the hon. Member for Limerick, and felt desirous of impressing upon the Government his conviction that the only way to give extensive employment would be to promote and encourage private enterprise. If the Government would introduce some measure calculated in its operation to throw more capital into Ireland, they would effect a far greater amount of benefit than could be realized by any State measure. He strongly objected to the 34th and 44th Clauses in the Bill. The 34th gave power to the owner of land to enter upon the holding of his tenant, whether that tenant remained in possession under a lease or by will, and order improvements without his consent being obtained; and the 44th Clause gave the Commissioners power to increase the rent of the tenant on account of such improvements. To both of these clauses he entirely objected; and he was sure if any proposition could tend to embitter yet more the bad feeling which existed between landlord and tenant in Ireland, it would be to give the landlord a power to enter the occupation of his tenant, and increase his rent on account of improvements effected, without having first obtained his consent.

MR. M. J. O'CONNELL hoped that the hon. Member for Limerick would introduce the Bill he had promised as early in the ensuing Session as possible, and that the Government, if they did not consider a substitute necessary, would put it into such a shape as in their estimation might practically effect the object in view. The Government was now about to grant assistance to the landlords of Ireland to improve their estates, partly in redemption of a promise made last year, and partly on account of the distress which prevailed in the country. They ought not, however, in doing so, to overlook the necessity of passing some measures calculated to stimulate and encourage private enterprise. If any such Bill were brought in, either by the hon. Member for Limerick or by the Government, he hoped, were it even for novelty sake, all parties in the House would unite in supporting it.

MR. AGLIONBY concurred in the expression of hope indulged in by the hon. Member for Kerry (Mr. M. J. O'Connell), that a Bill of the nature alluded to would be brought in; but he could not concur with the hon. Gentleman in hoping that the hon. Member for Limerick would be the person to introduce it. He hoped the Government would take upon themselves the task of introducing the Bill, for it was one of those important Acts which the Government ought to bring into the House, and respecting which individual Members had neither the machinery at command necessary for the purposes of preparation, nor the influence to carry through successfully. There was also another reason, which in his mind operated as an additional motive against its introduction by the hon. Member for Limerick. That hon. Gentleman would only make his Bill apply to Ireland; while if the Government brought it in, and the principle was a sound one, they would extend it to England and Scotland.

MR. LABOUCHERE entirely concurred with the hon. Member who had just sat down, that this was a subject which could be more properly dealt with by the Government than by an individual Member. He fully appreciated the great importance of such a measure, as he considered any measures which would have the effect of encouraging the application of capital in Ireland, and the reclamation of waste lands in that country, would be productive of much benefit; but he hoped the House would recollect that although nothing was more easy than to give expression to the desirability of such a measure, it was very difficult for the Government to pledge themselves to introduce it at once. In the course of that very day an endeavour had been been made to draw the Government into a pledge to introduce no less than three Irish measures within the present Session. [MR. SMITH O'BRIEN: And why not?] The hon. Gentleman said, "Why not?" but he would take leave to ask him whether the Government could not facilitate Irish measures much better if they were allowed to go through the business now before the House, rather than that the public time should be wasted by discussions upon a great variety of questions. He hoped the Government would be able to introduce the measure this Session; but he begged to impress upon the House, and more especially upon Irish Members, that the endeavour would mainly depend upon the progress which they might be able to make with those measures which they considered more immediately necessary to meet the present condition of Ireland. He, therefore, hoped the House would not consider the Government was indifferent to the importance of the subject, if circumstances should prevent the introduction of the measure this Session. It was his intention, with the assistance of his right hon. Friend the Attorney General for Ireland, to found a Bill upon the suggestions thrown out; but he hoped the House would not force them to bring in the measure until they had ascertained what progress had been made with other important measures directed to the improvement of Ireland.

MR. MORE O'FERRALL expressed the deep concern he felt at the remarks which some hon. Gentleman, but more especially the hon. and learned Member for Bath (Mr. Roebuck), considered it necessary to make with respect to the landed proprietors of Ireland. Perhaps it was not generally known to the House that the major part of the property of Ireland was settled, and that the savings from estates could not be expended on improvements, without depriving the younger branches of families of their provisions. He was acquainted with many difficulties which attended the introduction of a Bill of this nature, and on that account concurred in thinking the duty of preparing it ought to devolve upon the Government, rather than upon an individual Member. He begged to say, in answer to the foul imputations which had been cast upon the landlords in Ireland, that this proposition came from them, and that, if it were opposed, blame should not be cast upon those who were anxious to afford every facility for the investment of capital and the encouragement of industry in that portion of the empire.

MR. HENLEY said, that under the clauses objected to by the hon. Member for Rochdale (Mr. S. Crawford), it was not necessary to give notice to the tenant. It was important that some such notice should be given, so as to enable him to come before the commissioners and make his objection. It was a strong power to give the landlord to go upon a man's land (who might perhaps hold it under lease) without his consent, and a still stronger power to charge the tenant with a sum for improvemements without his consent.

MR. VESEY said, that before an application could be made to the Board of Works for a loan, plans and specifications of the land must be sent up to them. The tenant could not have a better notice of the intention of the landlord, than his sending persons to make such a survey. The 34th and 44th Clauses were necessary, because the occupiers of land in Ireland did not always see the advantage of improvements; and if their consent were necessary to the survey, and to the increased rent, they would oppose both.

VISCOUNT NEWRY did not object to the clause; but he was anxious to state that, with respect to the trust in which he was himself concerned, that unless a clause similar to that alluded to was introduced, he very much feared the money would be invested in England.

Clause negatived.

VISCOUNT COURTENAY moved the insertion of a clause, to enable corporate companies to borrow money for the improvement of land in Ireland for the purposes of this Act. The noble Lord observed, that great benefit would accrue to the country generally from the increased employment which would be afforded to the people, if public companies were enabled to enlarge the sphere of their operations. He held in his hand a report of the operations of the company established for the improvement of waste lands in Ireland, by which it appeared that on one of the company's estates in Sligo, no persons had to seek employment on the public works, neither was there a single instance in which recourse had been had to the workhouse; but that all had conducted themselves in a peaceable and orderly manner, in the hope that better days might soon arrive. He was aware that the same state of things existed on the other estates of the company; and that fact fortified him in the belief that similar results might attend the operations of other companies, if they had facilities afforded them to give employment.

Clause read a first time. On the question that it be read a second time,

The CHANCELLOR OF THE EXCHEQUER opposed the insertion of the clause, on the ground that he could not recognise any necessity to depart from the original provisions of the Act. He did not deny the great exertions which the company alluded to by the noble Lord had made; but he begged to say, that under the first Act of last Session, they might borrow from the Loan Commissioners, and repay the amount in twenty years. If public companies were in a position, according to their own Acts, to borrow, they came under the provisions of this Act; but the present Bill was not the proper vehicle for amending former Acts.

VISCOUNT COURTENAY considered that the great object of the Landed Property Bill was to give employment to the people; and he, for one, had never looked upon it as a Bill to benefit landlords, further than they might naturally be supposed to be benefited by the process of that employment. As it was his desire to facilitate the progress of the Government measures for Ireland, he would not occupy the public time by pressing for a division; but would content himself by expressing a hope that when the Government introduced their measure for the reclamation of waste lands, they would not overlook some provisions of the sort.

Motion negatived.

The EARL of LINCOLN observed, that he rose for the purpose of moving the Amendment to the 5th Clause, of which he had already given notice. The clause had reference to the erection of corn mills and other buildings of an agricultural character. He opposed the principle of Government giving grants of money on loan for such purposes, on the ground that there was not any enterprise that required less encouragement than the erection of corn mills. On the occasion of his recent visit to Ireland, he had seen a great number of streams, independently of the larger rivers, upon which corn mills were now in course of erection by private enterprise, in the belief that a larger demand would in future be made upon that produce for home consumption than heretofore. An hon. Gentleman, not at present in the House, had informed him he had that morning received plans for the erection of a mill upon his estate at a cost of 2,000*l.*, for investment; but that he could not decide upon them until he knew whether this clause would become law or not. That fact, he submitted, was enough to show that the Government would be doing harm instead of good, if they lent money for the purpose of erecting corn mills. The noble Lord was about to proceed with his observations, but

The CHANCELLOR OF THE EXCHEQUER begged his noble Friend would not charge him with discourtesy if he requested he would postpone the conclusion of his remarks to another opportunity. It was then ten minutes to six o'clock, the hour at which the Speaker would have to leave the chair; and as there was yet remaining a quantity of private business to dispose of, he would propose that the further consideration of the report be postponed until to-morrow. He (the Chancellor of the Exchequer) had some Amendments to propose, which he would have been happy to have brought up; but if hon. Gentlemen would insist upon such long discussions, it would be impossible to make any but the slowest progress. Unless some private business were now disposed of, the Railway Committees would be unable to proceed with their labours.

The EARL of LINCOLN expressed his willingness to meet the views of the right hon. Gentleman. Further consideration of the report adjourned accordingly.

House adjourned at Six o'clock.

HOUSE OF LORDS,

Thursday, March 11, 1847.

MINUTES.] PUBLIC BILLS.—1ª Bankruptcy and Insolvency No. 2; Consolidated Fund; Loan; Markets and Fairs Clauses; Gas Works Clauses; Water Works Clauses; Commissioners Clauses.

3ª and passed:—Custody of Offenders; Prisons.

PETITIONS PRESENTED. From Kingston-upon-Hull, for Assimilating the Poor Law of Ireland to that of England.—From Monaghan, against the Practice of giving Out-door Relief.—From Twywardreath and other places, for the Repeal of the Poor Removal Act.—From Stow-on-the-Wold, for Alteration of the Law of Settlement.

BANKRUPTCY AND INSOLVENCY BILL.

LORD BROUGHAM stated, that he had sent a copy of his Bankruptcy and Insolvency Bill to every commissioner in the country, with a view to eliciting their opinions on the subject. Those learned persons had suggested several alterations, which he had embodied in a new Bill. He therefore begged leave to withdraw the original Bill, and to substitute the amended one for it. The noble and learned Lord laid the Bill upon the Table, and it was read a first time.

POOR LAWS (IRELAND).

LORD BROUGHAM presented a petition from the corporation of Kingston-upon-Hull, complaining that the rate-payers of that town, in addition to maintaining their own poor, were obliged to expend considerable sums in supporting Irish paupers. The petitioners alleged that the Irish landlords did not do their part towards the maintenance of the poor, and prayed that Parliament would compel them to do so by passing a permanent and effective Poor Law for Ireland. Lord Coke said that corporations had no conscience, and perhaps some of their Lordships might think the conduct of the present petitioners confirmed the justice of the remark; for, not content with praying for a Poor Law for Ireland, they prayed that its administration might not be intrusted exclusively to Irishmen, lest it should not be impartially carried into effect. It certainly appeared that the petitioners' apprehensions on this score were in some respect justifiable; for he had received a communication from a Baronet residing in the sister kingdom complaining of the unfair mode of rating adopted under the existing law, whereby the owner of 270 acres was made to pay as much as the owner of 1,000 acres. There were, he said, 4,677 acres in the district, of which 2,800 were not represented by any contribution to any fund for the relief of the poorer inhabitants; 3,500 had paid for that purpose, 1,039 were in Chancery, with no facility for contributing anything; and 1,500 were in the hands of absentees, who had only contributed to a very trifling extent individually, and were not at all contributors to the dispensary or relief funds in the district. The noble Lord then moved for returns of the number of persons transported within the last ten years.

EXPORTS.

The EARL of ELLENBOROUGH said, that in moving recently for some returns relative to trade and navigation, he observed, that whilst our exports of cotton, linen, and woollen manufactures had fallen off during the last year, the exports of silk manufactures appeared to be stationary, if not to have increased in amount. He had since received information which induced him now to move for another return, to which he anticipated no objection. He was given to understand that a large quantity of bandanas was annually imported into this country, of which only about one-third was retained for home consumption; and the remainder, after being stained and stamped—a small process of manufacture—were exported. The bandanas thus exported, instead of appearing in the accounts under the head of colonial merchandise, were entered as British manufactures. The amount of bandanas thus exported was very large. The total value of the silk manufactures exported in 1844, 1845, and 1846, was 2,340,000*l.*; but in that sum was included the value of the bandanas exported after being stained, which amounted to no less than 1,461,000*l.* Deducting the latter sum from the former, it would appear that the total value of British silk manufactures exported in the three years 1844, 1845, and 1846, was only 879,000*l.* It was worthy of observation that the principle on which bandanas were classed with British manufactures was not universally applied; for thrown silk, which underwent some trifling process of manufacture in this country, appeared in the official accounts under the head of colonial manufactures. It was desirable that the same principle should be applied in all analogous cases. In order that a correct statement of facts, as regarded the exportation of silk, might be brought before the House, he begged to move for an account of the value of manufactured silk exported in the years 1844, 1845, and 1846, distinguishing the value of bandanas.

The EARL of CLARENDON believed that the statement of the noble Earl was correct as to a large quantity of bandanas being imported into this country to be subjected to some process of manufacture which they could not receive in India, and afterwards exported as British manufactures. He believed that this was done in accordance with a legal decision. No objection existed to the production of the returns moved for by the noble Earl.

Returns ordered.

PUBLIC WORKS (IRELAND).

The DUKE of BUCKINGHAM wished to know whether the information which he had moved for on a previous evening, relative to public works in Ireland, would shortly be produced?

The MARQUESS of LANSDOWNE said, that he had been in communication with Colonel Jones, who informed him that the most material facts referred to in the noble Duke's Motion were already printed in the blue book. The state of the works was varying daily, and therefore it was obviously impossible to make any satisfactory return upon that point, for a return for one week would give no idea of the state of things for the week preceding, or the one following. The clerks in the department were already overworked, and it was desirable not to impose upon them the obligation of making returns of information which was already before the House in another shape. The noble Marquess subsequently added, that he had made further inquiries respecting Captain Wynne's statement, and had to state to their Lordships, first, that the returns which had been moved for of the names of the men employed upon the public works in the county of Clare who had been struck off the lists by that officer, could not be furnished, for this very sufficient reason—that the relief committees did not take the names of all the men so employed, and consequently could not possibly furnish the names of those struck off; secondly, that Captain Wynne, although not now employed in that part of Ireland, was employed in another part, namely, in the county of Galway, where he had the entire confidence of Government. He felt bound also to state, in justice to Captain Wynne, that two officers, one belonging to the Navy and the other to the Army, had been employed as inspectors in the commissariat department in the county of Clare, and had fully corroborated the statement of Captain Wynne.

LORD BROUGHAM suspected it would be less difficult to furnish the names of those who had not been employed on the public works than of those who had.

JUVENILE OFFENDERS.

LORD BROUGHAM then moved for a copy of the committal, and the examination upon which the committal was made, of four boys named Jones, Cook, Rogers and Langdon, who had been committed for trial by a magistrate in Middlesex for a felony. The felony consisted in having in a frolic taken a cap from the head of one of their comrades, a boy 10 years of age, and thrown it into a field; and the worthy magistrate, before whom the case was brought, thought he could not do better, in order to show how active he was in the discharge of his duty, than commit them for felony. They had been two or three weeks in prison when the case came on for trial, and the grand jury threw out the bill with indignation. He (Lord Brougham) would like to know the name of the magistrate; he was certainly unfit for his office if he was in the habit of exercising his discretion in such an injudicious manner as this.—Return ordered.

CUSTODY OF PRISONERS AND OF OFFENDERS BILLS.

EARL GREY moved the Third Reading of these Bills.

LORD BROUGHAM said, he had great doubts whether transportation could be safely dispensed with in Ireland. He had been informed that transportation was regarded with salutary dread by the people of Ireland, particularly if it was speedily executed; that when the prisoner was removed from the dock on conviction and immediately consigned to transportation, it influenced the people of Ireland a great deal more than any other kind of secondary punishment.

EARL GREY remarked, that even if the Government were wrong in abolishing transportation permanently, it would be absolutely necessary to make a temporary provision for the reception of such convicts in the meantime, because, as he had already shown, it was impossible to accommodate them in Van Diemen's Land. The passing of the Bill now before their Lordships would give the Government power which they did not at present possess to send them to Bermuda and Gibraltar.

Bills read a third time and passed.

House adjourned.

HOUSE OF COMMONS,

Thursday, March 11, 1847.

MINUTES.] NEW WRIT.—For Lewes, *v.* Sir Howard Elphinstone, Bart., acc. Chiltern Hundreds.

Public Bills.—1° General Register House (Edinburgh).

Petitions Presented. By Mr. Brotherton, from Exeter and Sampford Courtenay (Devon), against the Use of Grain in Breweries and Distilleries.—By Mr. Chute, from Swanton Morley and Worthing, for Repeal of the Duty on Malt.—By the Chancellor of the Exchequer, from West Morley, respecting Remuneration to Tax Assessors and Collectors.—By Mr. S. Crawford, from Rochdale, for Reduction of the Duty on Tea.—By Captain Pechell, from Bradford, for Repeal of the Anatomy Act.—By Sir G. Strickland, from Preston, for Inquiry repecting Cotton (India).—By Mr. T. Duncombe, from Manchester, for Alteration of the Law relating to Forestalling, &c.—By Mr. S. Crawford, from Landholders of the Counties of Down, Antrim, and Armagh, for Postponement of the Landed Property (Ireland) Bill.—By Mr. S. Crawford, from several places, for Alteration of the Law respecting Landlord and Tenant (Ireland).—By Mr. T. Duncombe, from a Public Meeting, held at the Literary Institution, Tottenham-court-road, London, for the Restoration of Poland.—By Mr. Fitzgerald and other Hon. Members, from several places, for Alteration of the Poor Law (Ireland).—By Mr. Christopher, from Wainfleet, and Mr. Wawn, from Hartlepool, in Favour of the Ports, Harbours, &c., Bill (1846).—By Mr. Ewart, from several places, for Abolition of the Punishment of Death.—By Mr. Kemble, from Peter Page, of East Sheen, Mortlake, for Alteration of the Railway Clauses Consolidation Act. —By Mr. Hume, from Dartford, Crayford, and Bexley, against the Payment of the Russian-Dutch Loan.—By Dr. Bowring and other Hon. Members, from a great many places, for referring National Disputes to Arbitration.

THE MERCHANT SEAMEN'S FUND.

Mr. HUME, seeing the Vice President of the Board of Trade in his place, inquired whether Government had as yet made up their mind with respect to the propriety of appointing a commission to take into consideration the subject of the Merchant Seamen's Fund, and, if so, when that commission would sit?

Mr. MILNER GIBSON replied that the entire subject was under the consideration of the Government, who had come to the decision of appointing a commission, which he believed would sit immediately.

THE RELIEF WORKS (IRELAND).

Mr. S. O'BRIEN inquired whether it were the intention of the Government that the circular to the relief committee, which had just been issued under the signature of Mr. Redington, should be the sole guide to such committees respecting the time at which persons employed on the public works were to leave off?

Mr. LABOUCHERE replied, that the Treasury had issued directions of a very precise character to the Board of Works with regard to the manner in which the number of men engaged in the public works should be diminished. The minute containing those directions would be very soon laid on the Table of the House, and every hon. Member would then be in a position to understand the views of the Government on this subject.

Mr. P. SCROPE was anxious to know whether Her Majesty's Government had issued any directions respecting the treatment, during this calamitous season, of those whose parents or natural protectors might be committed to prison for offences of any kind. The propriety of asking the question was suggested to him by reading in the papers an account of a poor woman who had been imprisoned for stealing some article of food for herself and her children, and, on being released, she found her children dead. He believed a similar occurrence had taken place at Cork. He wished to know whether any provision had been made for the future care of the families of persons committed to prison to prevent their being starved to death.

Mr. LABOUCHERE regretted that the hon. Gentleman had not given notice of his intention to ask the question. He could only say that such cases as those alluded to by the hon. Member, were the very ones to which the relief committees should first apply their attention. He was not aware, however, that any special directions had been issued on the subject.

LEGACY DUTY.

Dr. BOWRING drew the attention of the House to a petition which he presented some evenings since, from Sir Thomas Mackdougal Brisbane, of Brisbane and Mukerston, Baronet, G.C.B., and William Malcolm Fleming, of Barochan, two of the executors acting under the will of the deceased Henry Douglas, Esq., late of Patna, Bengal, East Indies. The petitioners complained that in their capacity of executors, they had been compelled to pay to the Comptroller of Legacy Duties in Edinburgh, on account of duties which they contended were not properly exigible, the sum of 9,284*l.* 6*s.* 4*d.* The facts of the case were to be found in the petition, which had been printed by order of the House, and were as follows:—

> "Henry Douglas was a native of Scotland, and went in very early life to the East Indies, where he spent the rest of his life, and realized a large fortune. In the year 1779, he was nominated a writer on the Bengal Presidency; and on the 11th day of April, 1780, he was appointed to the service of the Honourable East India Company, in which service he remained until the 1st day of May, 1836, when he resigned the service, receiving the usual pension from the Company. After his resignation, he continued to reside at Patna until his death, which took place at Patna, on the 18th day of November, 1839.
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> "By his last will and testament, dated the 14th day of October, 1837, the said Henry Doug-

las appointed the petitioners, who, at that time, resided in Great Britain, and also William Lambert, George King, and Major Charles Rogers, who, at that time, resided in India, his executors; and, after making certain special bequests, he directed that the residue of his estrate should be divided among several residuary legatees, some of whom were relations, and others not, and some of whom resided in India, and others in Great Britain.

"Henry Douglas was, at the time of his death, domiciled at Patna, and, indeed, he had never once visited Great Britain during his long residence of upwards of sixty years in India. But from time to time during his lifetime, he had invested large sums of money in the public funds of Great Britain; and, at the time of his death, he was possessed of divers sums secured in the public funds, amounting in value to 154,738*l.* 17*s.* 4*d.* sterling money.

"William Lambert, George King, and Major Charles Rogers proceeded to administer the estate in India; and the petitioners, being resident in this country, obtained a probate of the will of Henry Douglas from the Prerogative Court of the Archbishop of Canterbury, on the 11th day of April, 1840, and subsequently realized the said estate in this country, and divided the same among, and remitted the same to or among the residuary legatees, but retaining a sum equivalent to what would be the amount of the legacy duty, in case legacy duty should be chargeable thereon.

"On the 2nd day of September, 1841, the petitioners received an application from the Comptroller of Legacy Duties in London, to render an account of the personal estate of Henry Douglas to the Office of Stamps and Taxes, in order that the clear residue thereof might be ascertained, and the proper duty thereon assessed and paid.

"On the 9th day of September, 1841, Messrs. Hunter, Campbell & Co., of the city of Edinburgh, writers to the signet, as agents of the petitioners in Edinburgh, in answer to this application, wrote and sent, to the Comptroller of Legacy Duties in Edinburgh, a letter, containing a statement of the facts, and submitting their opinion, that, under the circumstances, legacy duty was not exigible, for that 'the principle of law is that a testator has all his personal property beside him at his death:' and in the said letter the said Messrs. Hunter, Campbell & Co. wrote further as follows, viz.:—'We beg your attention in the consideration of the question to the recent decisions in the Exchequer Court in England in similar cases, as we understand that they support the view that we have submitted.'

"On the 10th day of September, 1841, the Comptroller caused an answer to be sent to the Messrs. Hunter, Campbell & Co., to the effect that he held it to be free from all doubt that your petitioners, as executors, were liable for legacy duty 'upon all the funds situated in this country, and appropriated and divided by them under the English probate among the legatees.'

"The petitioners, not being satisfied of their liability to pay the duties claimed, delayed doing so for some time; but after they had received further urgent applications threatening proceedings against them for the duties claimed, and penalties; they, on the 19th day of January, 1842, in order to avoid the proceedings threatened, and the penalties to which they might have been liable had the duties claimed been properly exigible, made payment to the Stamp Office in Edinburgh of 69,284*l.* 6*s.* 4*d.*, being the amount calculated according to the rates exigible on the different shares of the residuary legatees in the said sum of 154,738*l.* 17*s.* 4*d.*

"At the time the said correspondence took place, in September, 1841, there was pending in the House of Lords, a writ of error from the judgment of the Court of Exchequer in Scotland, in a cause 'Thomson *v.* Her Majesty's Advocate General,' in which the question at issue was, whether personal estate, situated in Great Britain, belonging to a native of Great Britain, who died domiciled in one of the British Colonies, was, or was not, chargeable with legacy duty; and considerable progress had been made in the cause, and it had actually been set down for hearing at the time the application was made for the legacy duty.

"This cause was heard before the House of Lords in August, 1842, and was directed to stand over for further hearing in the presence of Her Majesty's Judges of England; and this further hearing was ordered, not in consequence of their Lordships entertaining any difficulty in the question at issue, but because of its importance and extensive application, as will appear from the judgment of the Lord Chancellor, delivered when the cause was further heard in February, 1845. His Lordship said—"I think it proper to state that it was not from any serious doubt or difficulty which we considered to be inherent in this question in the former argument that we thought it right to ask the opinion of the Judges, but it was on account of its extensive nature; and, because though the question applied only to Scotland in the form in which it was presented to your Lordships' House, it did, in reality and in substance, apply to the whole Empire—not only to Great Britain, but in substance to Ireland, and to all the British possessions.'

"The cause was further heard on the 18th day of February, 1845, when, without calling on the counsel of Thomson, the plaintiff in error, to reply, and after receiving a unanimous opinion from Her Majerty's Judges present, to the effect that legacy duty was not exigible, their Lordships gave judgment in favour of the plaintiff in error, thereby declaring that the liability of personal estate to legacy duty depends on the domicile of the testator, or intestate, at the time of his death.

"The petitioners and their agents, at the time they paid the said duties, were ignorant of the fact that the case of 'Thomson *v.* the Advocate General' was in dependence before the House of Lords. But the Commissioners of Stamps and Taxes, and their officers engaged in the collection of the said revenue, were not only aware of this, but the Solicitor for Stamps and Taxes acted as the solicitor for Her Majesty's Advocate General in the said cause; and during the time the said cause of 'Thomson *v.* Her Majesty's Advocate General' was in dependence in the House of Lords, numerous cases of claims for legacy duty on the succession of natives of Great Britain dying domiciled in the British colonies, or elsewhere abroad, were under discussion, and the Commissioners of Stamps and Taxes allowed such claims to stand over until the cause of 'Thomson *v.* Her Majesty's Advocate General' was disposed of; and, after it was so disposed of in February, 1845, the Commissioners abandoned, or did not further insist on, the claims which were allowed so to stand over.

"After the judgment in the writ of error was pronounced, the petitioners consulted an eminent counsel, Mr. (now Commissioner) Burge, who advised them to memorialize the Commissioners of Stamps and Taxes for a restitution of the said sum of 9,284*l.* 6*s.* 4*d.*; at the same time observing, 'I cannot suppose the Commissioners will hesitate to restore the duty, after the decision in 'Thomson *v.* Her Majesty's Advocate'—a decision which, independent of the high authority by which it has been pronounced, rests upon principles of international law of such undoubted universal application, that I confess I was greatly surprised to find the question ever treated as one of doubt.'

"In accordance with this advice, in June, 1845, they presented a memorial to the Commissioners of Stamps and Taxes, praying that directions might be given to the proper officer for a return of the said sum of 9,284*l.* 6*s.* 4*d.*, together with interest thereon from the 19th day of January, 1842; in reply to this memorial, they received a letter from the Secretary of the said board, in the following terms:—'I am directed, in reply, to observe, that the payments of the legacy duty in question were made according to the then construction of the law, and were made without any question being made by the executors, or you as their law agents, that such duties were not legally due and payable. I am to add, that, as the duties were paid with a full knowledge of all the facts and of the law as then expounded, the board do not consider that a subsequent decision, giving a different construction to the law, is a sufficient authority for a repayment of monies paid under the former construction.'

"Again they presented a memorial to the Lords of Her Majesty's Treasury, praying for a return of the said duties. But, by a letter of the Secretary of the Treasury, dated the 11th day of July, 1845, he intimated to them, 'that, in cases similar to that which is represented in your memorial, it has been the uniform practice to adhere to charges of duty made in conformity with the law as declared by the judicial decisions received at the time, although subsequent decisions may have given another interpretation to the law in favour of or against the revenue; and that my Lords do not think they would be justified in departing from the practice in the present case.'

"In July, 1846, they presented a further memorial to the Lords of the Treasury, and on the 14th day of July, 1846, received from the Secretary of the Treasury an answer in the terms following:—'Having laid before the Lords Commissioners of Her Majesty's Treasury your further memorial, praying a return of the legacy duty paid by you, as executors of the late Henry Douglas, Esquire, who died in the East Indies, I am commanded to acquaint you, that, as there are no new facts stated therein which would alter their Lordships' view of the case, they can only refer you to the answer of the Treasury Board of 11th July, 1845, from which they see no reason to depart.'"

Such were the facts of the case, and as to these facts, there could be no question. And what was the point at issue? The deceased had undoubtedly a foreign domicile; and was his property liable to legacy duty? That matter had been decided by the unanimous opinion of the Judges in the case of Thomson *v.* Her Majesty's Advocate, which was delivered in the following terms:—

"The question which your Lordships have put to Her Majesty's Judges is this: A. B., a British-born subject, born in England, resided in a British colony; he made his will and died domiciled there. At the time of his death he had debts owing to him in England; his executors in England collected these debts, and, out of the money so collected, paid legacies to certain legatees in England. The question is, Are such legacies liable to the payment of legacy duty?

"In answer to this question, I have the honour to inform your Lordships that it is the opinion of all the Judges who have heard this case argued, that such legacies are not liable to the payment of legacy duty.

"It is admitted in all the decided cases, that the very general words of the statute, 'every legacy given by any will or testamentary instrument of any person,' must of necessity receive some limitation in their application, for they cannot in reason extend to every person every where, whether subjects of this kingdom or foreigners, and whether, at the time of their death, domiciled within the realm or abroad; and, as your Lordships' question applies only to legacies out of personal estate strictly and properly so called, we think such necessary limitation is, that the statute does not extend to the wills of persons, at the time of their death, domiciled out of Great Britain, whether the assets are locally situated within England or not; for we cannot consider that any distinction can be properly made between debts due to the testator from persons resident in the country in which the testator is domiciled at the time of his death, and debts due to him from debtors resident in another and different country, but that all such debts do equally form part of the personal property of the testator or intestate, and must all follow the same rule, namely, the law of the domicile of the testator or intestate.

"And again in the case of Arnold *v.* Arnold, where the testator, a natural-born Englishman, but domiciled in India, died there, it was held by Lord Cottenham that the legacy duty was not payable upon the legacies under his will; his Lordship adding, 'It is fortunate that this question, which has been so long afloat, is now finally settled by an authoritative decision of the House of Lords.'

And as to the argument at your Lordships' bar, on the part of the Crown, that the proper distinction was, whether the estate was administered by a person in a representative character in this country, and that in case of such administering, the legacy duty was payable; we think it is a sufficient answer thereto, that the liability to legacy duty does not depend on the act of the executor in proving the will in this country, or upon his administering here; the question, as it appears to us, not being whether there be administration in England or not, but whether the will and legacy be a will and legacy within the meaning of the statute imposing the duty.

"For these reasons, we think the legacies described in your Lordships' question, are not liable to the payment of legacy duty."

In giving judgment, the Lord Chancellor said—

"We thought it right, therefore, in consequence of the extensive nature and operation of the question, that the case should be argued a second time, and we also thought, from the nature of the question, that it was proper to request the attendance of Her Majesty's Judges upon the occasion, because we thought that the opinion of your Lordships' House being in concurrence with the opinion of the learned Judges, would possess that weight with your Lordships, and that weight with the country which, upon all occasions, the opinions of Her Majesty's Judges are entitled to receive."

And again—

"Also, my Lords, it has been decided in the case of British subjects domiciled in India, and having large possessions of personal property in India, that the legacy duty imposed by the Act of Parliament does not apply to cases of that description, although the property may have been transmitted to this country by executors in India to executors in this country for the purpose of being paid to legatees in England. Those are the limitations which have been put upon the Act by judicial decisions.

"But then this distinction has been attempted to be drawn, and it is upon this distinction that the whole question turns. It is said, that in this case a part of the property was in England at the time of the death of the testator—a circumstance that did not exist in the case of the Attorney General *v.* Jackson, and which did not exist in the case of Arnold *v.* Arnold; and it is supposed that some distinction is to be drawn with respect to the construction of the Act of Parliament arising out of that circumstance. I apprehend that that is an entire mistake—that personal property in England follows the law of the domicile—that it is precisely the same as if the personal property had been in India at the time of the testator's death. That is a rule of law that has always been considered as applicable to this subject; and, accordingly, the case which has been referred to by the learned Chief Justice, the case of Ewin, was a case of this description. An Englishman made his will in England—he had foreign stock in Russia, in America, in France, and in Austria; the question was, whether the legacy duty attached to that foreign stock, which was given as part of the residue, the estate being administered in England; and it was contended, I believe, in the course of the argument, by my noble and learned Friend who argued the case, in the first place, that it was real property: but finding that that distinction could not be maintained, the next question was whether it came within the operations of the Act; and although the property was all abroad, it was decided to be within the operation of the Act as personal property on this ground only, that though it was personal property, it must in point of law be considered as following the domicile of the testator, which domicile was England.

"Now, my Lords, if you apply that principle, which has never been quarrelled with, which is a known principle of our law, to the present case, it decides the whole point in controversy; the property, or part of the property, being in this country at the time of the death of the testator, it is personal property, and, taking the principle laid down in the case of Ewin, it must be considered as property within the domicile of the testator in Demerara; and it is admitted that if it was property within the domicile of the testator in Demerara, it cannot be subject to legacy duty. Now, my Lords, that is the principle upon which the case is decided—the only distinction is that to which I have referred, and which distinction is decided by the case *in re* Ewin, to which the learned Chief Justice had referred.

"Now, my Lords, that being the case, and the principle upon which I think this question should be decided, I was desirous of knowing what were the grounds of the judgment of the Court below. I find that the judgment was delivered by two, or rather that the case was heard by two very learned Judges, Lord Gillies and Lord Fullerton. The judgment was delivered by the late Lord Gillies. I was anxious, therefore, from the respect which I entertain for those very learned persons to know what were the grounds upon which their judgment was rested.

"The first case to which they referred, for it was principally decided upon authority, was a case decided before Sir Samuel Shepherd, Chief Baron of Scotland. That case, in the judgment, was very shortly stated; and I am very happy that the Solicitor General gave us the particulars of that case, for it appears that the legacy was charged upon real estate, and therefore it would not come within the principle which I have stated, and there might therefore have been a sufficient ground for the decision in that case. It is sufficient to say, that it does not apply to the case which is now before your Lordships' House.

"Then the next case which was referred to was the case of the Attorney General *v.* Dunn; but, my Lords, that could hardly be cited as an authority. It is true, the point was argued, but it was not necessary for the decision of the case, and no decision in fact was given upon the point. The Chief Baron expressly reserved his opinion, and said that he should not express what his opinion was. Also the learned Judge near me, Mr. Baron Parke, expressed the same thing. It is true that one of the learned Judges said, that at that moment, according to the impression upon his mind, he rather thought the duty would be chargeable; he expressed himself in those terms according to his immediate impression, but no decision was given upon the point—it was a mere *obiter dictum;* and surely such a *dictum* as that ought not to be cited as the foundation of a judgment of this description. Looking at the authorities, therefore, they appear to me not properly to support the judgment of the Court below.

"A third authority was that of my Lord Cottenham. Now my Lord Cottenham, in the case of Arnold *v.* Arnold, expressly states in terms that the two cases, The Attorney General *v.* Cockerell, and The Attorney General *v.* Beatson, he considered to have been overruled. He states that in precise terms. A particular passage is selected from the judgment of my Lord Cottenham, to support the opinion of the learned Judges in the Court below: but I am quite sure, when that passage is read in connexion with the whole judgment of that very learned person, every person reading it with attention must be satisfied that the inference drawn from that particular passage that was cited is not consistent with the whole tenor of the judgment.

"It appears to me, therefore, that none of the authorities which were cited by the Court below sustained the judgment; and I am of opinion, therefore, independently of the great respect which I entertain for the judgment of the learned Judges who have assisted us upon this occasion, that, upon the true construction of the Act of Parliament, and applying the known principles of the law to that construction, the legacy duty is not, in a case of this description, chargeable. I shall move, therefore, with your Lordships' consent, that the judgment in this case be reversed."

The result then of this matter was, that the Treasury had received 9,284*l.* 6*s.* 4*d.*, to which they had not a shadow of a right. They had received it contrary to the law, as declared by all the Judges—by the highest law authorities, and by the House of Lords—and they retained it. They retained it, not because they had obtained it by right, but by coercion. They had no right previous to 1842, when they enforced their claim—they had no right, that was still more clear, since 1842. As between man and man—if under such circumstances money had been paid, it would not be retained for an hour after the fact was established, that it had been wrongfully paid; and Government was amenable to the same claims of honesty and probity. He therefore hoped that an inquiry would be instituted with a view to redress; and moved that a Select Committee be appointed for that purpose.

MR. PARKER admitted the facts as stated in the petition presented by the hon. and learned Gentleman, with the single exception that no means had been used to compel the payment of the money. The case in no respect differed from ordinary revenue cases, and no threats had been adopted except the common one of process in case of refusal. But the fact was that from 1796, when the duty itself had been imposed, it had, until the recent case in the House of Lords, been held that the legacy duty followed the place where letters of administration were taken out, and not the place of the domicile of the deceased; and the case of Arnold *v.* Arnold and the others relied upon by the hon. and learned Gentleman were not analogous, inasmuch as in those cases the property had not been—as in this case it was—in England. As to the substantial justice of the case, there was really no reason why the property in question should not pay the legacy duty in compensation for the protection it had received from its investment in the British funds. It was true that for future property, in the same situation as the property in this case, legacy duty, under the decision of the House of Lords, would not be paid; but it was impossible to give a retrospective operation to such decisions. If they did so in this case—in which the property was large—they would be compelled to do the same in every individual case which had occurred since 1796. He saw no ground for the especial interference of the House, and must therefore oppose the Motion.

MR. WARBURTON said, it appeared in this case that the Crown was not prepared to refund money which, according to the decision of the Judges and of the highest tribunal in the country, was not due to the Crown. Then, in no case where the Crown had possessed itself wrongfully of the money of the subject, would it ever be recovered. Because the money had been paid to the Crown under a mistake or misapprehension of the law, that was no reason why it should not be repaid to the party. The distinction attempted, and upon which the whole question turned, was this: part of the property was in England at the death of the testator, which, it was said, distinguished it from the cases of "The Attorney General *v.* Jackson," and "Arnold *v.* Arnold." He apprehended that this was a mistake, and that the law of England, as to personal property, followed the law of the domicile. He knew, that of all descriptions of funding with the Treasury, refunding was the worst; but, if this money was not paid, no money wrongfully acquired by the Crown would ever be repaid.

SIR R. H. INGLIS said, the hon. Member for Kendal, at the beginning and end of his speech, had begged the whole question. It was the whole question whether the money was "wrongfully" withheld or not. Up to the very morning of the 18th of February, 1845, when the House of Lords pronounced its judgment in the case of "Thomson *v.* the Advocate General," the legacy duty was due, according to the construction of the law. He concurred in the view of the case taken by the hon. Secretary of the Treasury.

MR. HUME said, in June, 1838, a similar case occurred, in which a person died in Jamaica, and when his representatives in this country resisted the payment of the legacy duty, the Government withdrew its claim.

The ATTORNEY GENERAL said, since the decision of the House of Lords, no legacy duties in such cases had been or would be demanded. But the hon. Member for Bolton (Dr. Bowring), when he cited the opinion of Sir W. Follett, had forgotten that it was founded upon a private case, not brought before the Government, and, therefore, in fact, it was no authority whatever. The Legacy Duty Act, passed in 1796, and the opinion of the Attorney and Solicitor General (Lord Eldon and Lord Redesdale) was taken on a similar case, and they stated that the legacy duty was payable; that the test was not the domicile of the party, but that when the property was administered in this country, and administration was granted in this country, the legacy duty attached. Many cases had been decided in the Court of Exchequer founded upon that principle. In the case of "Thomson *v.* the Advocate General," which was argued in the House of Lords, before Lord Cottenham, Lord Lyndhurst, Lord Campbell, and Lord Brougham, the judgment of the House would probably have been in favour of the Crown, that the place of administering the will governed the legacy duty, but for a doubt in the mind of Lord Brougham; in consequence of which the Judges were called in, who laid it down as a general rule, that the legacy duty was governed, not by the place of administration, but by the domicile. If the present Motion was acceded to, every shilling that had been paid in these cases since 1796 must be refunded. The same principle should be adopted in this case as in cases between subject and subject, where, if money were paid not under duresse of law, but by mistake of the law, it ought not to be returned. In a case between subject and subject, if one was deceived as to the law, and under that mistake paid money to another, he could not recover it.

Mr. F. SCOTT denied that the case was the same as one between subject and subject. If it were, and if a man, who had claimed and received money to which he was not entitled by law, declined to return it, his character would be blasted. No mercantile firm in the country would act as the Crown had done in this case.

Sir F. THESIGER said he had been in office during the time when the case of "Thomson *v.* the Advocate General" was argued in the House of Lords; and he could confirm the statement of the Attorney General, that it was the impression of the profession that administration or probate was the test of the right to the legacy duty, and not domicile. It was a surprise on the profession when the House of Lords for the first time decided in this case that the criterion should be domicile and not administration. He should support the Government on this occasion.

Mr. BERNAL said, that the hon. and learned Gentleman had evaded a material point in the case, if the petition was correct, namely, that what amounted to a protest on the part of the executors took place before they paid the duties to the Legacy Office. That took the case out of the narrow circle of technicalities to which the hon. and learned Gentleman had wished to confine it. The analogy to the case of payments between individuals was wholly inadmissible; and, in his opinion, wherever the subject was contending with the Crown, the House of Commons ought to lean in favour of the subject. It was essential to justice that the facts of the case should be elucidated, and the truth elicited. Either a protest before payment of the duty was made or not. Which was the case ought to be discovered. But if there was any other way in which the truth could be elicited, he should advise the hon. Member to take that way, rather than seek to bring the matter before a Committee of the House.

Dr. BOWRING, after what had passed, should certainly consider what should be the form in which to pursue his object in this case. After the statements that had been made that evening by the Gentlemen who were authorities on legal questions, it was perfectly impossible that the matter could remain as it was. All the Judges and the House of Lords had decided what was good law; and was the subject to be robbed of 9,000*l.* or 10,000*l.* under bad law? Such a state of things was intolerable. He would ask leave to withdraw his Motion; but he could assure the House that the matter should again and again be brought before them until justice was done.

Motion withdrawn.

DEATHS BY FAMINE (IRELAND).

Lord G. BENTINCK, on rising to move for—

> "A Comparative Return of the number of deaths which have occurred in each parish of Ireland, or from as many parishes as may be practicable, in each of the three last periods of six months, commencing the 1st day of September, and ending the 1st day of March, respectively, with a summary for each period"—

said, that he had been in hopes no objection would have been made to this Motion; but the right hon. the Secretary for Ireland informed him that there were difficulties in the way of complying with his desires. He regretted this; for he was sure that there was no matter at present which it was of so deep an interest to the House and to the country to know as the rate of mortality now prevalent in Ireland owing to starvation and disease. The objection to be made was, as he understood, that there were no registers kept by the clergy in Ireland, and no compulsory power at the disposal of the Government by which they could call upon the clergy to make these returns. It might be true that there were no registers kept in the parishes in Ireland; but, at the same time, he thought it was scarcely possible to believe that no record of the number of deaths which had taken place in so short a period had been kept. With regard to compulsory power, he begged to observe that when, in 1841, and afterwards, in 1843, returns were ordered by the House of the numbers of illegitimate children christened by the clergy in each parish in England and Wales, there was no compulsory power to oblige the clergy to make those returns, and still they made them without any objection. The state of things in Ireland was horrible; the late Government had treated the destitution of that country on a better plan, and done more to relieve it, than the present Government, who were administering the affairs of Ireland on the principles of political economy, and hence the afflicting situation of that country. An hon. Member had told the House the other night, that he had reason to know that the constabulary were in possession of information showing that 240,000 persons had already died of famine in Ireland. As he (Lord G. Bentinck) understood, there was a mortality going on in the workhouses, containing 111,484 inmates, at the rate of 77,630 persons a year. In his opinion, it was a matter of far too great importance, and too deep interest, for the House and the country to be left in ignorance upon it. It was impossible to say that the people of Ireland were to be allowed to die off without any record of their deaths being taken. There ought, in his opinion, to be no secrecy, no concealment about the number of deaths that had been occurring during the last six months, as compared with the same period last year. He could not believe for a single moment that a single clergyman, whether a Protestant divine or a Roman Catholic priest, would refuse, if applied to by the Government, to give a comparative return of the deaths that had taken place in his parish in the course of the last six months, as compared with the six months of the antecedent year; and he thought his Motion ought to be consented to by the Government.

MR. LABOUCHERE could assure the noble Lord and the House, that if he felt any difficulty in acceding to the Motion which the noble Lord had brought forward, it did not arise from any wish that the House and the country should not have the fullest and most accurate information respecting every thing relating to the present distress in Ireland, and with regard to that destruction of human life which, on more than one occasion, it had been his painful duty to declare to the House, had gone on, was going on, and, he feared, would go on, to an extent which all must deplore. The Government had already assented to Motions for the production of two returns, which, he believed, would comprise all the information which the Government had it in their power to give the House from official sources respecting the number of deaths that had occurred. One of those Motions was for a return of the coroners' inquests in Ireland in which verdicts had been returned of deaths arising from destitution since the famine commenced. That had been ordered by the House. The other was the Motion of the hon. Member for Limerick (Mr. Smith O'Brien), in assenting to which, the Government agreed to give such information of the deaths from famine as they were in possession of through the constabulary. The difficulty he felt with respect to the Motion of the noble Lord was, that he did not know to what quarter to address the orders for the returns, with any sure prospect of getting an answer. He regretted, and thought it was matter of reproach to the country, that there was not established in Ireland a system of registering of births, marriages, and deaths, as in England and Wales; but the absence of such a system was owing to difficulties with respect to religious questions, which had hitherto made it impossible to establish such a system in Ireland. Still, however, he was not without hopes that those difficulties might be got over, and a similar system to that in force in England be provided for Ireland also; but at present he did not know where to look in Ireland for accurate information of the kind required by the noble Lord; and he must say, he thought that nothing could be more inexpedient than to produce false and inaccurate statistical information to the House of Commons, because such information could only have the effect of misleading both the House and the public. That was one objection which he felt to agreeing to the Motion of the noble Lord; another was, that any information that could be obtained on this Motion, must be entirely voluntary; for there was no description of public functionaries in Ireland who could be called upon to give these returns. But then the noble Lord said, "Address the order to the Protestant and Roman Catholic clergymen in each parish; probably they have kept a record of persons dying in their parishes." This species of information, however, he (Mr. Labouchere) was afraid, would be found to be very inaccurate. He thought it would be dangerous to ask the clergymen in Ireland to give returns of this kind, which would be so liable to inaccuracy, and which, if inaccurate, might mislead the House and the country. The noble Lord had also mentioned, that, on two occasions, the House had ordered returns of the number of illegitimate children christened in each parish in England and Wales, and that the clergy had not complained of making the returns. It was to be remembered, however, that the clergy in England and Wales were obliged by law to keep a register for their several parishes; but in Ireland, neither the Protestant nor the Roman Catholic clergyman was required to keep any list of the deaths which occurred in his parish; and if any clergyman should be found to have done so, the object would be found to be some purpose of his own. Why were they to think that such registers were generally kept by the clergy in Ireland? Under these circumstances, all he could do was this: he would write to Ireland, and inquire whether any means existed there of getting accurate information of the kind desired by the noble Lord. As he had said, he thought it would be undesirable for the Government to produce returns which must necessarily be of a vague and inaccurate character, and therefore must mislead. If it had been possible to give these returns in an unquestionably accurate shape, he should have been happy to comply with the noble Lord's request, because he concurred with the noble Lord in thinking that it was the duty of the Government to give every information in their power respecting the present condition of Ireland. The hon. Member for Limerick (Mr. S. O'Brien) had stated the other night—he (Mr. Labouchere) was out of the House at the moment, and he was very sorry that it had happened so—that the Government had it in their power, he had reason to think, to give a return by which it would appear, from facts known to the constabulary, that no less a number than 240,000 persons had died from famine in Ireland. He did not believe that anything of the kind was the case; he did not believe that any information of such a horrible description had reached the Irish Government; his belief was—he did not speak with perfect confidence, but he would make inquiries—his belief was, that no such information was in the possession of the constabulary. The noble Lord had intimated that the destruction of human life that was going on in Ireland, was owing to the Government having acted on a system of political economy; and the noble Lord had contrasted their conduct with that of the late Government, and said that the late Government had done more in providing food for the people than the present Government had done. Now, if the noble Lord would look to the quantity of provisions sent into Ireland by the present Government, as compared with the quantity sent by their predecessors last year, he would see that a much greater amount of food had been provided by the present Government than by the last. However, he did not wish to impugn the conduct of the late Government on that account, because of course he knew that the distress was very much greater this year than last; but he must say that he thought nothing could be more unjust to the Government, or more dangerous to the people of Ireland in their present condition, than to say to the Government in that House, "You are responsible for the present state of things in Ireland." Those who said that, were bound to state what were the means the Government had left unattempted for the purpose of alleviating the existing distress. There had existed in Ireland for a long time a most unfortunate idea, that it was within the power of the Government to meet a calamity like this; and certainly he was afraid that what the noble Lord had that night said, holding, as the noble Lord did, so distinguished a position in the House and before the country, was calculated to foster that delusion. He (Mr. Labouchere) was satisfied in his own mind that the Government had done all that was in their power to alleviate the distress; and he would declare that the Government had shrunk from no responsibility, had spared no exertions, but had used, with, he might say, a lavish hand, the resources of the British Treasury, to mitigate the calamity which they felt it was out of their power altogether to relieve; and for the noble Lord to come forward, without offering a single argument to support his assertion, without mentioning a single fact to rest it on, and to assert boldly that the Government had been sacrificing the lives of thousands of their fellow-countrymen at the shrine of political economy, was in his opinion most unjust and most dangerous. The Government had not done so. Political economy did not teach any such lesson; political economy did not teach any Minister that extraordinary exertions should not be made on the occurrence of a season of extraordinary calamity and distress; but it did teach, that if the aid a Government gave was not conducted on a proper system, its effect would be to tend to cripple the resources of the country to which it was extended. That was the impression upon the minds of the Government, and under that impression they had resisted the demand to supply the whole country with food, because they were of opinion that doing so would lead to an increase of human suffering in the end; but he repeated that every means had been used to relieve the pressure of the calamity that were in the power of the Government, and therefore he said that it was most unfair in the noble Lord to have said what he did. He would communicate with the Lord Lieutenant of Ireland, and would inquire whether there were any means of procuring the required information; but he doubted whether the means existed of giving it with certainty, and he should certainly object to a Motion of this kind unless they did exist.

CAPTAIN HARRIS said, that after what had passed, it was very objectionable to allow things to remain in their present state. He suggested to the right hon. Gentleman, whether the duty did not devolve on the relief committees to give these numbers. He believed that, owing to a false delicacy, the Legislature had committed a great mistake in not assimilating the law in England and Ireland; and that, owing to there being no poor law in Ireland, the country had been brought into this great dilemma. The maxim should now be "Save where you can:" the relief committees could possibly give the required information now; and when a full poor law was extended to that country, giving out-door relief, the relieving officers would be able to supply the particulars.

MR. SHAW said, that there were no means in Ireland by which a correct return could be made to the Motion of his noble Friend, and he would, therefore, suggest that the noble Lord should leave the matter in the hands of the Government, who might be able to give him some approximation towards the actual numbers.

LORD J. RUSSELL would not enter further into this discussion, but, if there were any means by which the number of deaths could be obtained, he would make every inquiry to discover them; at the same time, he agreed that to give any numbers which had been incorrectly ascertained, would be injurious rather than advantageous. He wished, however, to say, that considering the great extent of the present calamity, the difficulty with which the subject was surrounded, and the representations which were made against the conduct of the Government and the Legislature, he thought it proper to give notice that the next day, on the Motion being made to the House that the Speaker leave the chair on the Permanent Relief Bill for Ireland, he should make a statement both of what had been done, and of what was now doing, and why it was necessary to provide out-door relief for the people, chargeable on the property in Ireland.

LORD G. BENTINCK said, that under the circumstances, he should be content to leave the subject to the exertions of the Government; but, if he were challenged to produce any proof of the facts he had stated, he would show that the mortality in the workhouses was ninefold more this year than it was last year; for the right hon. Gentleman had given a return of the number of deaths in the workhouses, and they were, in one week, 1,493 against 162 last year, which showed an increase of mortality ninefold beyond what it was last year. What, then, had been the amount of sustenance said to have been sent within the last three weeks? There had been sent from England 218,000 quarters of corn. Now, in the year 1845, the apprehension of a famine in Ireland did not arise till October; whereas, on the 22nd of August last year, it was well known to every Member of the Government that the potato crop in

Ireland had entirely failed; therefore the Government had last year three months notice of the approaching famine beyond what the Government had in the preceding year; and yet the amount of provisions last year was only 218,000 quarters, whereas the Government in the former year had provided 100,000 quarters, though there was three months less notice, and though the deaths were only one-ninth. He thus thought that he had a complete case against the Government for not having provided the food which was necessary. If he appealed to what had been done in other countries, it would be found that France had been largely supplied by the Government; that last year Russia, when a famine had eccurred in Poland, and the Emperor of Austria, had provided food for the people, and had brought into play all the ammunition waggons and a great part of the power of the army, to provide that none of the subjects of Russia or of Austria should be permitted to perish of famine; and he contrasted these cases with what had occurred in Ireland, where it had been stated that as many as 240,000 had died of famine, or, if not of famine, of pestilence, which was the consequence of famine. He thought that in making this statement he had brought pretty strong facts in support of his opinions in moving the present resolution. However, after the assurances which had been given by the Government, he would leave the matter in their hands, feeling satisfied that there would not be the smallest difficulty in obtaining accurate returns from the ministers of any religion. It might be that from some parishes they would get no returns, but they would procure accurate returns from a certain number; and if they could be procured from one-half the parishes, they might draw a comparatively just and accurate conclusion of what had been the comparative mortality in the entire island.

The CHANCELLOR OF THE EXCHEQUER would be sorry to throw any obstacle in the way of the noble Lord; but he had introduced in his reply an assertion and an assumption relative to the number of deaths supposed to have taken place from famine, which required a single observation. The noble Lord said that he had brought forward facts, and yet he had made an assertion with respect to the number of deaths which was unsupported by any fact or authority; and what the noble Lord had asserted upon that point was as much an exaggeration as was the noble Lord's supposition the other day with respect to the amount of the biddings for the last loan. With regard to the supply of food by the French Government, he knew that they had not purchased food except for their army and for Algiers; and when the noble Lord thus made these assertions, there was not any opportunity of discussing them; and he thought it was not quite fair to make observations of this kind on such a question as to whether the Government could procure accurate returns.

MR. DISRAELI wished to make one observation. As it had been said that the noble Lord had only made an assertion and an assumption, he must remark that the numbers quoted by the noble Lord were taken from a return laid on the Table of the House; that return showed the number of deaths in workhouses in one week in January last to be 1,493, and in the corresponding week of last year to be only 162. That therefore was not an assumption, nor was the other a mere assertion. He knew that the number in the workhouses was greater this year than the last; but they were not quite double the amount, and that circumstance did not make much difference in the calculation. With respect to the total number of deaths in Ireland, the noble Lord had made no definite statement; that was the very question on which he wanted information. The noble Lord had said that reports, which, if not entitled to absolute respect, merited great consideration, set the number of deaths at 240,000. The right hon. Gentleman thought that there was no authority for this number of cases, whilst he (Mr. Disraeli) believed them to be greater; and what he wanted was correct information. The noble Lord had founded upon two returns the statements, one of which the right hon. Gentleman had called an assertion, and the other an assumption. The right hon. Gentleman said also, he had reason to believe that the French Government had not provided food, except for the army and for Algiers. That statement was perfectly accurate; but the right hon. Gentleman had forgotten to tell the House that the French Government had employed all the stores in the magazines which had been provided for the army, and which were stored with provisions sufficient for three years, in supplying their own people with food.

Motion withdrawn.

CRACOW—ADJOURNED DEBATE.

Lord J. RUSSELL moved the Order of the Day.

Mr. BICKHAM ESCOTT wished to ask the noble Lord the Secretary of State for Foreign Affairs, a question. The House was aware that the payment of the money on what was commonly called the Russian-Dutch Loan depended upon the provisions of an Act of Parliament; and he would ask whether, since there had been a manifest violation of the stipulations of the Treaty of Vienna, it was the intention of the noble Lord to introduce a Bill to enforce the future payments of this money?

Viscount PALMERSTON said, that the House was aware, that the payment of the interest on this loan was authorized by the Act of Parliament, to carry into effect the Convention of 1815; in consequence of the events of 1830 and 1831, it became necessary to enter into a new convention, and a new Act of Parliament was necessary, to authorize the Exchequer to act upon that convention. No new convention was now required, and he apprehended that no new Act of Parliament was necessary.

Mr. MONCKTON MILNES said: Mr. Speaker, although the hon. Member for Montrose and his Friends naturally desired this debate to have been continued on Friday last; and although I believe the Government would, on the whole, have lost little time by acceding to his request—yet I cannot altogether regret the delay, which may have given to many Members opportunity for reflection, and enabled us to resume the discussion without any predominant excitement. For while the speech of the noble Lord at the head of the Government, on Thursday last, was not one which the House should speedily forget; yet it is well that the first strong impression of its eloquence should have subsided into calm consideration, and that hon. Members should learn by reflection, that this question does not wholly and necessarily rest on the high, but easy, ground of national honour. The noble Lord, indeed, in one part of his speech, attempted to preclude the House from even entertaining the subject before us. He drew a distinction between the prerogative of the Crown and the privileges of Parliament, which, at least, tended to the conclusion that it was an act of complete supererogation, if not of presumption, for this House to express any spontaneous opinion on the foreign relations of this country. I am, Sir, perfectly aware that the consideration of these subjects does not form a part of our ordinary duty. I am not prepared to deny the fitness or the good practical effect of the constitutional doctrine which commits to the Crown the regulation of our interests with foreign States and Powers; but I must remember, that those affairs are entrusted to one Minister, who thus holds in his hands the chief destinies of our nation—in whose breast the foreign policy of Great Britain, for the time being, resides—who can lay upon the Table of this House just as much as he pleases of information and of evidence on matters of foreign interest—and who therefore should not be too jealous of the occasional desire of Members of the House to pay some attention to an important question of foreign politics, and one in which the general interests of Europe are involved. I think it, therefore, rather hard, that we should have to meet such preliminary objections as those of the noble Lord, especially when we have no intention of advising the Crown to adopt any new course of policy, but confine ourselves to expressions declaration and confirmatory of opinions and sentiments solemnly and formally enunciated in the Speech to Parliament, and to a suggestion that this "manifest violation" of a treaty does not permit us to maintain a convention entered into, "in consideration of the general arrangements" of that compact. The noble Lord and the Secretary for Foreign Affairs have both expressed their disapprobation of the repeated protests of the French Government in favour of the nationality of Poland: we may therefore infer that they would not have in any degree followed that example but from a most earnest conviction of its justice and its necessity. Yet the suppression of the State of Cracow was not the only subject of continental interest alluded to in the Speech from the Throne. It was also mentioned that a correspondence had taken place between this Government and those of France and of Spain on the marriage of the Infanta of Spain to the Duke of Montpensier; and we learn by papers laid before Parliament that here too a protest had been issued by the Government, and had led to much diplomatic discussion. Yet this latter protest did not appear in the Speech from the Throne, nor has it become the subject of a debate in either House of Parliament. And I rejoice that it is so. I trust that all considerations of this question will be reserved for the occasion, if, unhappily, it should ever arrive, when this country may be called upon to act upon the basis which the Secretary for Foreign Affairs has laid down for our own security and the independence of Europe, and that nothing may occur to prevent the resumption of that good understanding between the Governments of France and England which, so much to the satisfaction of the English people, obtained during the late Administration, and on the continuance and endurance of which, I believe, depends so much of the future welfare and progress of the civilized world. But with respect to the absorption of Cracow, no reticence was necessary, and there has been none. Her Majesty told us she held it to be a manifest violation of the Treaty of Vienna, and we propose to answer that we regard that violation "with indignation and alarm." There is customarily some formality to be observed in the debate on the Address; it is not thought advisable that the apparent unanimity of the Address should be disturbed by differences on single points, when the main principles of the Address are agreed to. It was, therefore, understood that some noble and hon. Members of this House, who demurred to the fact of this "manifest violation" of treaty-right (and, improbable as it may appear, there were some) should not think themselves bound and impledged by that vote, but regard it as only thanking Her Majesty for the information she had communicated on the subject. The principle therefore passed, not, indeed, unanimously, but "*sub silentio.*" We now desire that that silence may be broken—that this House may distinctly affirm its opinion on this subject—that we may declare that we do, heartily and loyally, assent to that special passage in the Speech from the Throne. And I cannot conceal from myself the apprehension that if, instead of rejoicing in this accession of opinion, instead of welcoming the full adhesion of the English Parliament and people to the sentiments of the Crown, the noble Lord at the head of the Government should persist in moving the previous question, an impression, perhaps unjust, but not the less injurious, will go abroad, that Her Majesty's Ministers shrink from the consequences of their own assertions, and that thus their protest will lose a considerable portion of its efficacy and meaning in the eyes of Europe. I conceive, that the first of the resolutions of the hon. Member for Montrose, expresses the general opinion of the people of this country. Our public sympathy with the interests of foreign nations is never of a very vivid character; and the feeling respecting Poland has not been of that passionate nature which prevails in France. There this question has occupied at least as much space in the public mind as that of negro slavery has done in England. But, nevertheless, a strong sense of sympathy has been manifested here; not because the Poles were emigrants—not because they were exiles—not because their ancestors had liberated Europe from the invasion of barbarians—not even because they had given lessons of freedom to surrounding despotisms and appreciated the principles of self-government, even before the world had learnt to adapt them to the mass of mankind; but simply because they have been the victims of intolerable wrong, and sufferers of the most shameless violence in modern history. With all their insular indifference, the people of England understand that three great Powers combined to crush an independent nation, and that, notwithstanding every variety of oppression and seduction, every vicissitude of time and circumstance, that nationality endures, uneffaced and ineffaceable. This, Sir, was the feeling exhibited the other day, when I had the gratification of seeing assembled on the same platform, Members of this and the other House of Parliament, of the most adverse political sentiments, of the most diverse modes of thought, met to protest against the destruction of the republic of Cracow. I there heard read the earnest assent to the object of that meeting of a nobleman whose character is of the highest and purest in the land, and to whose calm and solid judgment any statesman might be glad to have recourse; I mean the Duke of Bedford. I there listened to the denunciation of this act by a diplomatist, himself present at the Congress of Vienna, and intimately acquainted with the intentions and views of the personages there assembled, and now acting as Her Majesty's ambassador and representative to the Ottoman Porte—Sir Stratford Canning; and all that we now ask of this House, is to confirm the decision of such men as these. Sir, the truth of the violation of the Treaty of Vienna by the annexation of the republic of Cracow to the Austrian empire, appears so irrefragable to ordinary readers and observers, that I fear I may be regarded as fruitlessly taking up the time of the House in asserting and strengthening that position. The general Treaty of Vienna is in the hands of hon. Members: let them read it to refresh their historical recollections. Almost at the first page they will find that the town of Cracow, with its territory, is declared for ever free and independent; that it is to enjoy the privileges of commercial freedom; and that the town of Podgorze is also made a free commercial town for the good of Cracow. By the Ninth Article, they will see that the Courts of Russia, Austria, and Prussia, engage themselves to respect, and to cause to be always respected, the neutrality of the free town of Cracow and its territory; and they will find all the details, insuring to Cracow political freedom and commercial privileges, in a separate treaty, which by the 118th Article of the general Treaty is declared to be an integral part of the arrangements of the Congress, and to have, throughout, the same force and validity as if inserted, word for word, in the general Treaty. This is quite enough for ordinary minds; but the last ten pages of the papers laid before Parliament, are taken up by the argument of some anonymous Austrian publicist, of sufficient repute no doubt in his own country for Prince Metternich to adopt him as his official advocate. As this document concludes the series of papers, I may, perhaps, be permitted to lay before the House a short detail of facts which will, I think, sufficiently test the accuracy of this learned jurisconsult, and, at the same time, be not uninteresting, as showing how exactly the spirit of the proceedings of the Congress of Vienna corresponds with the plain interpretation of the letter of the treaty as understood by the Government and people of England. The two positions of the Austrian publicist, to which I shall direct the attention of the House, and which are, in fact, the basis of his argument, are that "Cracow became a political body, by the sole and exclusive will of the Three Powers," and "that the Treaty of the 3rd of August, 1815, was concluded without any notice having been given to any other Court, without any demand for acquiescence having been made to any other Power, as likewise without having been objected to by any one." It is, Sir, also stated that Cracow was at that time invested with "an independence never at any former period enjoyed by it before."

"Obsecro, tuum est? vetus credideram:"

I believed that Cracow had been an ancient city of an independent State—independent at the time when all but the metropolis of Austria was in the hands of the Turks, and independent centuries before. It is well known to all persons interested in the history of great transactions, that the leading characteristic of the Congress of Vienna, was the unanimity of consent and assent that it obtained from all the Powers of Europe. In the Congresses of Munster and Osnabruck that preceded the Peace of Westphalia, in the Congress at Nimeguen, and in that of Ryswick, the differences were arranged by the mediation of third parties. In the conferences, again, that took place at Utrecht, at Aix-la-Chapelle, in 1747, and in later times at Amiens, although the representatives of other Powers were present, yet each of them resulted in separate treaties between France and England. But at Vienna, in 1814-15, the attempt was made, and was most successful, to bring into the terms of one large compact, the great and the small, the strong and the weak, the rights of prescription and the rights of conquest, the ancient order and the political accidents of the age. It was thus intended to establish a body of public right, of which all Europe should be members, giving to the feeble the defence of the powerful, and limiting the means of aggression possessed by the mighty. One of the most distinguished authorities and contributors to the arrangement has expressed this feeling in better words than I can find:—

> "The final act of the Congress of Vienna is incontestably the fundamental law of the political system now established in Europe, because it has been sanctioned by the adhesion of all the States composing that system. And this is the reason wherefore the dispositions of territory and the principles of policy registered in that act, whether they regard directly or indirectly any European State, are become obligatory for all."

In these words, Sir, Prince Metternich expressed his opinion of the mutual co-operation of all the States of Europe in preserving the dispositions of territory, one of which was the free State of Cracow, and the principles of policy, one of which was the government of the Poles by Polish institutions, established by the Congress of Vienna. They are contained in a letter addressed by the Prince to the Austrian Minister at Paris, on Feb. 9th, 1818, and have already been cited in the French Chamber of Peers, by the orator who has revived in that tribune the eloquence of Bossuet, the Comte de Montalembert. The chief object and difficulty of the Congress of Vienna was, without doubt, the distribution of the territories which France had conquered and lost. Out of these had sprung the kingdom of Saxony, and in these were included the dislocated members of Poland. By the Treaty of Reichenbach, in 1813, the partition of the Duchy of Warsaw between Austria, Russia and Prussia, without any intervention of France, had been agreed upon, and after the occupation of Paris, the Emperor Alexander maintained that this obligation still remained in force. But, by the secret articles of the Treaty of the 30th May, 1814, it had been agreed that the free disposition of these territories should be arranged in the Congress on the terms determined by the Allied Powers themselves—one of these Powers, of course, being England—and accordingly we find Austria, Russia, Prussia, and England determining by a secret Convention, dated Sept. 22nd, 1814, that these provinces shall be disposed of as they think fit, and that France and Spain should afterwards be admitted to advise or to object. In the interesting correspondence between the late Lord Castlereagh and the Emperor Alexander, which, at my request, the noble Lord the Secretary for Foreign Affairs has laid on the Table, hon. Members will perceive how earnestly the Emperor Alexander attempts to set aside the right of England to interfere in this question, as soon as he discovers that the views of the English Minister are opposed to his own. But while the Emperor is making every effort to attach Poland as a province to Russia, and is sacrificing the fortune of the Polish nation to his scheme of national aggrandizement, it must not be forgotten that Lord Castlereagh urges, in the strongest manner, the policy of re-establishing the independent kingdom of Poland; and the Austrian Government at that time appeared entirely to coincide with this view, and expressed itself willing to make very great sacrifices for so desirable an object. So unsatisfactory, however, was the state of things at the end of the year 1815, that the still glowing embers of an European war seemed likely to be blown into a flame by the dissensions on the subject of the distribution of Poland; and the Duchy of Warsaw, then occupied by 200,000 Russian troops, was aroused by the proclamation of the Archduke Constantine—a name afterwards of fatal significance to Poland—calling on the Poles to arm for their national independence. At this juncture it was proposed and decided that the ultimate arrangement of these affairs should be entrusted to a Special Committee, from which there should be no appeal, and which should only report their determinations to the General Committee of Eight, which comprehended the Powers that had signed the Treaty of the 30th of May, and which in fact constituted the Congress. This Special Committee was denominated the "Committee of Saxony and Poland;" and of whom was it composed? Remember, it had the whole jurisdiction of this distribution, its decision was final, and all other authority on the matter was subordinate to this. Was it composed solely of Austria, Russia, and Prussia? Were there no other parties to the arrangement? Sir, from the first day to the last that that Committee sat, the English Plenipotentiary constituted part of it; and, very soon after its formation, at the request of England, the French Plenipotentiary was admitted and took his part in those deliberations and decisions. It was to this body that the Emperor Alexander submitted, on the 30th of December, 1815, his general project for the distribution of Poland and Saxony, and which included the independence and freedom of the cities of Cracow and of Thorn; many parts of this scheme were altered, and the proposals with regard to Saxony altogether refused; but from that time the independence of Cracow was a substantial part of every arrangement suggested and discussed; and, as it were to give every possible sanction to the authority of other Powers in these transactions, on the 10th of February, the Austrian Plenipotentiary, in presenting the first arrangements to the Committee, stated—

> "That the Powers more intimately concerned, engaged themselves in a spirit of conciliation both in regard to the interests of Austria and those of the other States, that the execution of the partial arrangements should be bound up *(liée)* with the General Treaty."

On the following day, the final settlement of the Duchy of Warsaw, including the independence of Cracow, took place; and solely on the authority of that settlement, and to carry out the objects of that settlement, and to confirm that settlement by an annex "of the same force and validity as if it were inserted word for word, in the general Treaty," was the Treaty of the 3rd of May signed by the Three Powers—that treaty which the Austrian publicist dares to say, "establishes the political existence of Cracow, by the sole and exclusive will of the Three Powers alone," and which he, in his grave apology for his Government's breach of public faith, can assert to have been concluded without the recognizance, acquiescence, or objection of any other Power! Sir, I have referred in this argument to facts that lie on the surface of diplomatic history; I have no pretensions to peculiar or recondite information; I have taken my facts from authorized and unquestioned sources, and I leave them and the case of the Austrian publicist to the judgment of the House. In the month of October of the same year as these transactions, the Emperor Alexander issued a proclamation to the Poles, which contained these words:—

> "To smooth the difficulties which have been raised on the subject of the town of Cracow, we have caused to be adopted the proposition of making that town a free and neutral State."

And he adds—

> "It will remain a monument of a magnanimous policy, which has established liberty on the very spot where repose the ashes of the best of your kings, and with which are associated the most noble memories of Polish nationality. And, lastly, to crown a work which the misfortunes of the period have so long retarded, it has been unanimously agreed upon, that even in those portions of Poland submitted to the authority of Austria and Russia, the inhabitants should for the future be governed by their own magistrates, elected within the country."

Sir, Europe has seen, how completely, with what perfect good faith, the Governments to which the provinces of Poland were assigned, have carried out this latter resolution; and it is for this House this night to record its appreciation of the "magnanimous policy" which has created and nurtured the free State of Cracow. In perusing the short and mournful history of that State, I cannot find that there was anything so inherently defective in its political constitution, as to have made its existence either difficult or dangerous. Nor indeed does it appear that the conterminous monarchies regarded its freedom with any especial jealousy, till the great Polish revolution of 1830. Prince Metternich, in the enclosure to his note of the 6th of November, expresses his censure and surprise at the popular sympathy which was manifested for the cause of Polish nationality; but which seems mainly to have been confined to religious celebrations, and the sale of arms and ammunition. The wonder is surely all on the other side. It is hardly intelligible, how in the moment of the agony of the Polish nation, in that wonderful struggle of the patriotic enthusiasm of a small body of gentlemen and soldiers, with the organized resources of the widest empire of the world, that Cracow did not throw herself at once and openly into the conflict, and share the destiny of her race. Had she done so, order would have been restored at Cracow, as it was at Warsaw; but she would have been saved seventeen years of humiliating persecution, crowned with an ignoble end. At the Convention of Münchengratz, which took place in 1834, and in which the Three Powers bound themselves to the mutual extradition of their subjects, there is strong ground for believing that the annihilation of Cracow was resolved on, and that all the subsequent occupations, violences, and treacheries, put in practice against this unhappy State, have been but steps to the predetermined object. In two interesting articles published in the *British and Foreign Review*, hon. Members may read the wretched series of persecutions inflicted on Cracow by its political protectors. With all their means of prevention, all their appliances of police, all their powers of despotic rules, these three great Powers represented themselves as the victims of the machinations of this poor town of Cracow. No doubt it had been sometimes a city of refuge to a tracked and hunted victim—no doubt it had been occasionally a land of Goshen in the midst of surrounding violence and wrong—but there is no proof whatever in the apologetic documents of the Austrian Government, that any conspiracy against the peace of the surrounding States was ever encouraged or connived at by the authorities of the place—that, even when free from the presence of foreign troops, the people had ever given either harbourage, or money, or arms, to any body of men interfering with the peace of those States, as soon as, after the fall of Warsaw, what was called peace was established. Of course the very presence of freedom was inconvenient to the Powers who desired to suppress its very name; of course the existence of any self-government was distasteful to those who systematically resisted all political development. I do not pretend that, when the natural feelings had once been aroused in Cracow by the Polish revolution, it was not troublesome to the neighbouring Governments; but I can find no such overt interference, no such fatal breach of international law, as can be fairly called a breach of the neutrality, which Cracow was supposed to observe. The State of Cracow did not, as it appears to me, do anything which would have justified a declaration of war against her by any of the Three Powers, had she been a fit subject to declare war against; and thus I cannot allow that there is any such breach of neutrality on the part of Cracow, as gives any colour of excuse, either to the repeated military occupations, or to the destruction of the State. The frequency of these illegal military occupations, while the Treaty of Vienna had declared that, "under no pretence whatever," should troops be introduced into the free town of Cracow, has more than once attracted the attention of the British Parliament. The first intimation of this question produced from the noble Lord opposite, the Secretary for Foreign Affairs, the notification that it was the intention of Her Majesty's Government to send a Consul to Cracow. It will be remembered with what gratification that announcement was received by the House and by the country, and how deep was the disappointment when it was discovered that, after much diplomatic correspondence, the design had been abandoned, and that Cracow was to be left to her fate. The noble Lord has been requested to produce that correspondence; but, I regret to say, has declined to do so. He has stated, that it was conducted with so much acrimony (that was the word) on the side of the Powers, that the production of it could now only produce an useless irritation. When a manifest violation of the Treaty of Vienna has been the result of the acts on which we then commented, and which we hoped to alter and arrest by the presence of an English representative, I do think it is only due to those who urged that step to be taken—it is only due to the character of the noble Lord himself, that he should produce that correspondence. When the first of the resolutions which I hold in my hand has been virtually assented to by every Member who has yet spoken, including the First Minister of the Crown, I do not know how that "alarm and indignation" is to be injuriously increased by the production of these papers: we have the facts before us, and we desire to know on what sufficient grounds the noble Lord, having informed the House that he was about to send an English representative to Cracow, abandoned that intention, and apparently at last yielded his own conviction of right to the objections of the Three Powers. I do not wish to prejudge the question—to assume any weakness or vacillation of purpose on the part of the noble Lord; but I do wish the conscience of this country to be quite clear of having, in any degree whatever, by feebleness, or imprudence or neglect, participated in the misfortunes of Cracow. In examining the varieties of unequal alliance, it is the opinion of Vattel—

> "That a weak State, which, for its safety, is under the protection of another or others more powerful than itself, and engages itself, in return for that protection, to perform certain equivalent duties, without however despoiling itself of its right of self-government, does not, on that account, cease to take its place among the sovereign States, which acknowledge no other authority than the law of nations."

It appears, therefore, indisputable, that both England and France were authorized to send representatives to watch over the interests and rights of the State of Cracow; and I cannot divest myself of the feeling, that had the project been realized, we should not have been this night discussing the erasure of Cracow from the map of Europe. In the debate of 1840, a friend of mine, who has left a good and respected memory behind him in this House, Mr. Gally Knight, warned the noble Lord to delay his intervention no longer. "The victim," he said, "is nearly exhausted—a little longer, and it will be too late." You did delay, and the result is before us. I know, Sir, the noble Lord may with justice reply, that the same policy of neglect and disregard towards Cracow was pursued by his successor in office. Notwithstanding that, on a former occasion, Lord Lyndhurst had been an urgent defender of those rights, and had strongly represented to the House of Lords the importance of the commercial freedom of Cracow to our own manufacturing interests, and the value to England of having this depôt of her goods in the centre of Europe, I do not find that he succeeded in urging on Lord Aberdeen to take any steps to impede the still gathering doom that hung over that State. Nor indeed, am I aware, that that statesman has ever thought fit to express any reprobation of those fearful events which occurred in Gallicia in the early part of last year, and which have been made the immediate pretext for this violent consummation. Before the prorogation of the last Session, I had the opportunity of bringing before the House some inadequate details, some rude sketch, of the Gallician reign of terror—that Jacquerie of the 19th century—those September massacres under the paternal and orthodox rule of Austria. Sir, I should be sorry to be excited into any general diatribes against the Government which, with more or less success, still keeps together the heterogeneous provinces of the huge Austrian empire. I have lived for many years under its sway, and I am bound to say, that, in general, the material well-being of its subjects is diligently cared for, and justice between man and man fairly administered; although, except in Hungary, the despotism is complete, and the feelings of separate nationality are repressed or trampled down. Thus, I own, that I was at first incredulous of the horrors of Gallicia, and could not for some time persuade myself of the reality of those scenes. But, from residents on the spot, from subsequent travellers, from the impunity that has been universally given to the murderers, from the determined official secrecy which has been thrown over these events, and lastly, from the despatches of the Austrian Government itself, I am compelled to accept the conclusion, that the peasantry were excited and encouraged to the massacre of the landed proprietors of that district, great and small, by the local authorities—that the assassins received sums of money from those authorities, at so much a head, according as they brought in the corpses of their victims—that some of those executioners have since been publicly thanked and rewarded by the Central Government, while none have been judicially punished—and that the surviving members of families have been forbidden to mourn for their murdered relatives, and express indignation at their death. If only men in arms had fallen, there might have been some excuse, although the policy of arming one class of society against another is very questionable; but when, as I am too surely informed, bed-ridden and helpless and aged men and flying youths were cruelly destroyed, I do not know what can be the apology of a Government which has at its command so enormous an army to repress violence and vindicate the law. But what is the phrase of Prince Metternich himself, in his despatch of the 6th of November? He states that—

> "There has resulted from these events a great accumulation of embarrassment for the Government and the country. It is not with impunity that one stratum of the social hierarchy of a political body (that is, the landowners) can disappear (that is, be massacred), and yet such is the effect which has resulted from four or five days in Gallicia, or, to be more historically accurate, of the 18th and 19th of February, in the Circle of Tarnow?"

I feel that I should weaken the effect of this sentence on the House by any comments; I would only ask it to consider to what portion of the Austrian monarchy it is that Cracow is now annexed—for what a social state it is that she is forced to exchange a political existence, where serfage had long been abolished, and where the relations between the upper and lower classes were of the most peaceful and friendly nature—and what a future is before this unhappy people, deprived at once of the great and invigorating principle of self-government, and of a commercial freedom which gave them the cheapest and readiest supply of the necessaries and comforts of life, and placed under the autocratic rule of a Government, which is remarkable for the stringency of its tariff, and unwilling, or, at the best, unable, to protect them from such abominations as the massacre of Gallicia! The pretence that the people of Cracow took an open part in the invasion of the Austrian territory is nowhere confirmed: the number of persons who appeared in arms on that occasion, was at the most two hundred men, ill armed and without discipline. The prefect of Tarnow, Brendl de Wallestern, was distinctly informed of the approaching outbreak, which was conducted with the most insane imprudence. And on the 30th of January, the Archduke Ferdinand d'Este informed the Central Government that the country was agitated, a movement in preparation, and the public mind disturbed:—

> "Nevertheless, the Government may be tranquil; I do not require any reinforcements, for all measures are taken in case of insurrection for paralysing the movement without compromising the troops."

The riot broke out on the 18th of February. The Austrian general in occupation of Cracow evacuated the town without resistance, and carried away with him all the authorities of the place, the foreign residents, and many persons who might arrest the confusion. The very night of this so-called insurrection, the carnage in Gallicia commenced; and the free State of Cracow, which gave the conspirators no encouragement, which is not even assumed to have assisted in the design, is now to be annihilated, because it was abandoned by those who had gratuitously assumed its government, and because, through the connivance of the local and the negligence of the central authorities, a province of the organized, orderly, Austrian empire, has been disgraced by deeds which only belong to scenes of the wildest and most embittered anarchy. During the time that intervened between these events and the final act of suppression, I find in the papers before the House instances of unfairness and equivocation, on the part of foreign Ministers, which I should have hoped were confined to another age of diplomacy. The only satisfaction is, that they show that the Powers themselves were ashamed of what they were doing, and could not trust themselves in the atmosphere of English honesty and justice. And yet I may presume to say, that even the inadequate and often delusive information supplied to Lord Aberdeen, by our representatives abroad, might have in some degree lessened the exalted confidence he seems to have placed in the fair intentions of those Powers, and induced him to take more active steps than he has done to prevent this last calamity. I conceive that no warning or even entreaty should have been spared to dissuade the three great Powers from giving this pretext to whatever nation may choose to avail itself of it, for dissolving the bonds of the great compact, and throwing the question of the distribution of Europe once more loose upon the world. For, if the cosignataries of the Treaty of Vienna had been formally consulted, and if, on grounds satisfactory to the Plenipotentiaries of England and France, some modification of the Protectorate of Cracow had been agreed upon; I do not pretend to say that even some restriction of the freedom promised to Cracow by the Congress might not have been preferable to the continual intervention of these nominal protectors, and at least the commercial privileges and municipal rights of the State might have been preserved, and its ample liberty might have been recovered at some happier period. Whatever had been thus arranged, might have been an object of criticism, blame, or regret; but, at any rate, we should have been spared the spectacle of an act of lawless revolution committed by the champion Powers of established order, and an event of such happy augury to Central Europe as the new Prussian constitution preceded by the consent of Prussia to the extinction of the political existence of a free people. Sir, the expression of my opinion respecting the latter resolutions of the hon. Member for Montrose, namely, those relating to the suspension of the payment of the Russian-Dutch loan, will necessarily be short, for it will consist in the assertion of my conviction of a fact. I do not see how we can go on legally paying this money. I will not resume the arguments of 1832, but merely say, that I agree with the view then taken by Sir Robert Peel and the present Lord Ashburton, respecting the convention then in force; and that I conceive that reasoning to be identical when applied to the present convention. Then, also, the Government took up the position of national honour, but were obliged to yield to the plain facts of the case, and bring in a new Act of Parliament. Let them do the same now. If they conceive that this money is paid as an equivalent for Demerara, the Cape of Good Hope, Essequibo, aad Berbice, I submit to their judgment, and am ready to move for a new Bill for that purpose. But, with this Act of Parliament in my hand—and this Act, not the Convention, is the authority for paying the money—containing the words, "in consideration of the general arrangements of the Treaty of Vienna," and, at the commencement of each clause, "in virtue of these considerations"—I, who believe those arrangements to have been violated, cannot understand how such payment is at present legal.

> "Every article of a treaty," says Grotius, "carries with it a condition, by the non-performance of which the treaty is wholly cancelled."
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> "If it be certain and manifest," says Vattel, "that the consideration of the present state of things was one of the reasons which occasioned the promise, and that the promise was made in consideration or in consequence of that state of things, then the promise depends on the maintenance of things in that state."

Surely, Sir, both these high authorities are applicable to this case. The consideration for the first convention was the union of Belgium and Holland; the consideration of the second is "the general arrangements of the Treaty of Vienna." These stipulations both mean that Russia does such and such things as value received for this payment; and I assert that the stipulations of the second convention are now at an end, just as the first were in 1832. The collateral circumstance, that Russia herself proposed the latter stipulation, no more affects the interpretation of this Act, than did the fact of England having mainly brought about the independence of Belgium did the interpretation of the former one. You believed there was an honourable obligation in the former case that superseded the legal exemption from the payment of this debt, and you made a new Convention and passed a new Act of Parliament: if you believe this now, I am ready to support you in a similar course;

but, till you do so, this Act of Parliament is void, and the money is not yours to pay. And now, Sir, in conclusion, I would allude to a word in the first resolution to which objection may not improbably be taken: I mean, that we regard these proceedings with "alarm." I myself can only consent to this phrase by attaching to it its largest moral significance. England, in this case, has no fears for herself or her own interests; her alarm is for the peace of the world, and for the independence of the smaller States of Europe. If these things are permitted, where are they to end? What is the security for the commerce of Hamburgh, menaced by the Zollverein; or for the integrity of Saxony, whose territory lies inconveniently collocated with that of Prussia, and which was guaranteed by that very same "Committee of Poland and Saxony" which established the State of Cracow? Where is the defence, in case of assault, of the ancient freedom of Switzerland—where the protection of the reviving liberties of Italy? Vain are the most sacred prescriptive rights—vain the efforts of the wisest and justest of reformers—if such things are to be. Cracow is at Berne—Cracow is at Rome—Cracow is at Bucharest—Cracow is at Constantinople. If the law of the strongest is to prevail in this case with so poor an excuse, with so little reason for intervention, what must be the destiny of those feeble interests that stand face to face with the matured policies and great ambitions of mankind? I look not at the insignificance of the victim, but at the might of the executioners. I see Austria, Russia, and Prussia banded together to crush what they call a "geographical atom," and I ask myself whether the wheel of the revolution of the politics of Europe may not have been set in motion by the removal of this grain of sand? My only trust and consolation is in that eternal principle of right, before which power itself must bend at last, which works out its ends by processes inscrutable to our frail perceptions, and in reference to which the common feeling and experience of mankind have exclaimed—

> "Dormit aliquando Jus, moritur nunquam."

LORD DALMENY: I am desirous of stating, in a very few words, my reasons for voting against the Motion of the hon. Gentleman the Member for Montrose. I oppose it with great reluctance, because I acknowledge the force of some of his arguments; and in many of his sentiments I most heartily concur. I yield neither to him nor to any one in my abhorrence of the tyranny exercised by Russia towards Poland, her ancient spoliation of territory, her recent violation of rights, her contempt of international law. Her ambition spurns all sanctions whether human or divine. The solemn faith of treaties, the eternal rules of justice, she alike despises and derides. This last deed—this overthrow of the last refuge of Polish independence—is but the climax of a policy, which, born in poverty, cradled in wrong, and nursed by violence, has at length ripened, through successive stages, to the fulness of oppression. Such iniquities ought to be denounced by us, who are contemporaries, as they will be branded with ignominy by the avenging sentence of posterity. We owe it to ourselves to visit them with the sternest language of reprobation, lest our descendants should construe our silence into apathy, or into acquiescence, in these foul acts of spoliation and fraud. Amid this gloomy drama, which now extends over half a century, there is but one topic of consolation. The cause of freedom must gain by these outrages of arbitrary power. It is well when despotism tears the mask from its own visage, and lays bare its hideousness to the world. Its hypocrisy is more dangerous than its paroxysms of violence. Under the cloak of solemn plausibilities—under the semblance of a paternal Government, it may impose on the senses and delude the imaginations of men. The enforced submission of its slaves may be mistaken for spontaneous obedience. Its treacherous tranquillity may dupe the observer out of his adverse prepossessions, or even cheat him into admiration. It is well, then, when it flings off all disguise—when it glares out in its native colours—when it casts off all restraint—when it startles mankind by its excesses, and shocks them by its crimes. If, then, the hon. Gentleman the Member for Montrose had confined himself to his first resolution, expressing our strong sense of this recent violation of treaties, I would have cordially supported it, in order to mark my horror at this gross outrage on public law. But the hon. Gentleman has appended another resolution from which I totally dissent. He has degraded this great question of national laws and national rights, the faith of treaties, and the principles of justice, into a sordid consideration of pounds, shillings, and pence. It is the misfortune of the hon. Gentleman, that, although a man of a humane and liberal mind, with a zeal devoted to the interests, not only of his country, but mankind, he never can look at any question of state policy, except through an economical medium. In his view, every question of policy, whether foreign or domestic, resolves itself into a debtor and creditor account. I take leave to view the matter somewhat differently. In my opinion, the relations between mighty States ought to be conducted on a higher footing than the petty transactions between man and man. They ought to be inspired by a loftier principle, and maintained upon loftier grounds. It may be proper for a private individual to pry into contracts, to hit upon flaws, and, on their discovery, to hold himself released from his engagement. Such a course may not militate against his reputation, or his conscience; but States ought to be animated by a more elevated spirit, and guided by views more comprehensive and enlarged. If this great country is to be governed on the maxims of the pettifogger and the housewife—if it is to act on a mingled system of vulgar parsimony and chicane, its treasury may be enriched by a few handfuls of gold; but farewell its moral strength, its moral grandeur, its dignity, its renown. In opposing the Motion of the hon. Gentleman, it cannot be supposed that I contemplate these atrocities with indifference, or that I deem them susceptible of extenuation or defence. I trust that I shall not be held deficient in commiseration for those unfortunate men whose heroism in defending the liberties of their country is only to be paralleled by the fortitude with which they have borne their calamities. But here I find a treaty, by which, under certain conditions, we are bound to make an annual payment to Russia. Different opinions prevail as to the construction of this treaty, and as to whether its conditions have been broken or observed. The hon. Gentleman the Member for Montrose says, that the stipulations having been violated by the one party, have ceased to be binding on the other. But, Sir, this position has been triumphantly refuted by the noble Lord at the head of the Treasury, who has proved that we are bound still to adhere to our engagement. The case, at best, is one of ambiguity and doubt. Now, I contend, that in all cases where a doubt arises in any pecuniary covenant with a foreign Power, we ought to give that Power the full benefit of the doubt. It does not comport with the dignity of this country to cling to the letter, in contravention to the spirit, of its treaties. We are in that proud position, that we can afford to be generous as well as just. But, if this rule be generally sound, there are circumstances which render it peculiarly applicable in the present instance. We have all joined with one voice, from the Queen to the peasant, in reprobation of the recent transactions at Cracow: Her Majesty, in measured terms; Her people, in less disciplined, but not more heartfelt expressions, have held up this flagrant crime to the execration of mankind. Let not this hallowed expression of the national indignation be profaned by the intrusion of any selfish considerations. Let our censure be purified from all taint of sordid motives. Let us not take advantage of the guilt of foreign nations to evade our pecuniary obligations. Let this generous movement have nothing economic in its character. Let us fulfil our high mission as the censors of nations, the rebukers of the oppressor, the vindicators of the oppressed. But let us not desecrate this sacred office by the base alliance of self-interest. What weight will that censure possess, which is connected with a scheme for effecting a saving in your Treasury? It was but last week that a great meeting was held in London for the purpose of expressing the national condemnation of the recent violation of treaties. At that meeting, all armed interference was expressly disclaimed. But it was asserted, that the public opinion of a great people, expressed in the heart of its own metropolis, would pierce to the darkest recesses of the palace of the oppressor. This was the language of that meeting—a language not devoid of either dignity or truth. Will that public opinion carry any authority, or excite any deference or respect, which is associated with a resolution to violate the spirit of a treaty, and withhold the payment of a debt? If this Motion be carried, there is not a foreigner but will affirm that your philanthropy is a mere pretence, got up for the purpose of eluding your pecuniary liabilities. In the eyes of the world, your censure will pass for arrant hypocrisy, or be debased to the level of a mere financial stratagem. Remember that our public credit, that fabric so vast and apparently so substantial, which has resisted, and can resist, external shocks and internal convulsion, would dissolve into air before the faintest breath of distrust. It can withstand the earthquake; it can defy the storm. Glance on it with suspicion, and it crumbles into dust. We are pre-eminent in this, that we alone of all nations, whether ancient or modern, have blended the vigour of commercial enterprise with the lofty virtues of chivalry. Other commercial States have trampled on the principles of public morality in their ardent pursuit of gain. We alone have combined, in an auspicious union, the energy of the merchant with the honour of the gentleman. For this we are indebted to that happy fusion, in our constitution, of aristocracy and democracy, by which the restless vigour of the one is ennobled by the exalted integrity of the other. Shall we then stoop from this proud pre-eminence, to sink ourselves to the level of States that are as bankrupt in honour as in purse? Foreign nations have sometimes disputed our justice—they never, as yet, have doubted our probity. Foreign nations have sometimes arraigned our ambition—they never have breathed a whisper against our honour. If we have sometimes been tyrannical—we never have been mean. If we have sometimes lifted the arm of the giant—we never, thank God, have plied the finger of the sharper. And shall we now, for the first time, especially at the present moment, when we are astonishing the world by the vastness of our resources, the vigour of our efforts, the solidity of our credit, the splendour of our charity, the magnificence of our sacrifices, shall we, for a paltry pittance, dim the lustre of our fame? Never, never let us plunge into such an abyss of disgrace. I implore the hon. Member for Montrose not to divide the House upon his Motion. Never let it be said, that a British House of Commons divided upon the question whether it would violate or maintain the public faith it had pledged. If Russia has violated her faith, it is for us to teach her, by our example, that public virtue which she wants. It is for us to contrast the lofty bearing of our free government, with the fraudulent violences of her absolute monarchy. Let us, then, with a contemptuous probity, fling to her the gold, and on her rest undivided the infamy and the shame.

DR. BOWRING said, that the noble Lord might vote for the first resolution, and refuse to support the remaining resolutions. By supporting the first, he did not, by any means, pledge himself to the others. He entreated the noble Lord and the House to remember, that the question before them was not merely a question about Cracow and the Cracovians, but respecting Poland and the Poles. He could not help admiring the great sagacity of the late Lord Castlereagh, who, in his despatches (recently published), pointed out to the Czar the necessity which even then existed for the re-establishment of Poland; and recent events had shown how just were the views of that eminent person. In Europe there were at present 20,000,000 of men animated by one spirit, professing a common religion, speaking a common language, and influenced by a common desire to achieve the re-establishment of their native country, as one of the States of Europe: who, then, believed that the peace of the world could be preserved under influences so adverse to tranquillity? It was impossible to look at the present state of Europe without anxiety and alarm: Courts denounced Courts for perfidy; friendly alliances were broken; the liberty of petty States, where it was not overturned, was menaced; the friendly feelings which previously prevailed between France and England had almost ceased to exist; but of the two, England had the most reason to complain. He honoured the King of the French in his domestic character; but he must say that in his recent policy that Monarch had been most grievously ill-advised. In whatever direction he looked, he saw cause for anxiety and alarm. In the south, Portugal was delivered over to anarchy; who ruled and who obeyed no one knew. In Spain they saw a Government utterly and totally regardless of Spanish opinions; and they might observe in that country the same elements of disturbance, which were associated with the war of independence; for Spain would never long submit to French domination. In Italy they saw the hopes of the people awakened, in consequence of the nomination of the new Sovereign of the Pontifical States; they saw that excellent man yearning to promote the prosperity and to establish the liberty of his native land, but his efforts were everywhere thwarted. He believed that his purposes were controlled and overruled by influences which would never have been exercised but for that general dislocation of confidence among Cabinets, of which they witnessed so many results. Switzerland, too, was in a state of confusion and disorganization. With regard to the north, he participated in the feeling of the hon. Member for Pontefract (Mr. M. Milnes), when he stated that Prussia had fixed on a most unfortunate moment for loosing the hold she was gradually obtaining upon intellectual and civilized Europe, by associating herself with that recent deed of spoliation which had so deeply dishonoured her name. In the east he saw still further cause for anxiety. The promises made to the Danubian provinces had been violated. Russia had obtained, under pretence of caring for the public health, possession of the entrance to the Danube on the right bank. The pledges given to the Bulgarians were all violated when Bessarabia was ceded to Russia; and though the independence of Wallachia and the remaining part of Moldavia had been promised, it was an undoubted fact that the princes were seated on their thrones at the will of Russia, and that there was throughout those provinces a universal feeling of discontent. In all these circumstances, he thought there was great cause of alarm; and he saw that period approaching which Mr. Canning had predicted; he saw the advent of that fearful struggle, which he (Dr. Bowring) feared could not much longer be delayed, between the oppressed and the oppressors. He (Dr. Bowring) would venture to say, that it was not alone by the recognition of the Treaty of Vienna that they would get rid of the difficulties of their position. He contended that more regard must be paid to the welfare and the liberties of nations; for treaties not ratified by public opinion were of little value. Though he shared in all those feelings of disgust and indignation which had been expressed at the recklessness with which the great Powers had violated the engagements into which they had entered, he in many respects rejoiced that these great questions were now placed on a new basis; that the whole structure of European policy would have to be reconsidered; and that they would not be called upon to decide alone whether the protest of England should restore Cracow, or whether a small fragrant of Poland should be saved for Poles and for Polish nationality, but that the greater question of the regeneration of Poland itself, and of a recognition of its rights and liberties, which had been so recklessly trampled upon, would be brought before them for consideration and decision.

Sir W. MOLESWORTH: There are two questions for the consideration of the House. The one, approbation or disapprobation of the conduct of the Three Powers—the other, payment or non-payment of the Russo-Dutch Loan. With regard to the first question, there seems to be no difference of opinion. I agree entirely with the opinions which have been expressed by the hon. Gentleman the Member for Montrose, and by the noble Lord the Member for the city of London, with regard to the manner in which the Sovereigns of Austria, Russia, and Prussia, have acted towards the city of Cracow. I concur in the first resolution which the hon. Gentleman has moved, and should be most willing to vote for it, if it stood alone; but I cannot consent to support the last resolution, in which it is proposed not to make any further payments on account of the Russo-Dutch loan. In order to determine whether we ought or not to continue those payments, I think we should not merely confine ourselves to the words of the Convention of the 16th of November, 1831, but should take into consideration what were the reasons which induced us to undertake those payments, and what were the advantages which we obtained by so doing. We engaged to pay the interest of a portion of the Russo-Dutch loan as a part of the purchase-money of the colonies of the Cape of Good Hope, Demerara, Essequibo, and Berbice; and it appears to me that if we refuse to continue those payments, we are bound in honour to restore those colonies. The papers which have been laid upon the Table of the House prove that we bought those colonies by consenting to make those payments. The House is aware that the colonies in question belonged originally to Holland, and that we took possession of them during the last war, not because we were at war with Holland, but to save them from France, when France took possession of Holland. In 1814, Holland was liberated from the dominion of France, and in consequence it was held that we were bound to restore to Holland her colonies. A convention to that effect was signed in London,. Aug. 13th, 1814. In the first article of that convention, we engaged to restore all the colonies possessed by Holland on the 1st of January, 1803, with the exception of the Cape of Good Hope, and the settlements of Demerara, Essequibo, and Berbice. These we reserved to be disposed of by a supplementary convention, which was to be negotiated according to the interests of the two countries, and especially with reference to certain provisions contained in the Treaty of Paris. The supplementary convention was contained in the additional articles to the convention to which I have just referred. In the first additional article, the Prince Sovereign of the Netherlands agreed to cede to his Britannic Majesty the full sovereignty of the Cape of Good Hope, and the settlements of Demerara, Essequibo, and Berbice, in consideration of certain payments to be made by England. Those payments were—first, the sum of one million to Sweden; second, the sum of two millions to improve the defences of the Low Countries; third, and to this I wish to direct especially the attention of the House, we agreed to bear, equally with Holland, certain other charges, to be agreed upon by the Allied Sovereigns, for the final and satisfactory settlement of the union of the Low Countries with Holland. Thus we agreed to purchase of Holland the colonies in question, for a sum of money which was not to exceed six millions of pounds sterling. A sum not exceeding three millions of this money was to be expended for the express purpose of securing the union of the Low Countries and Holland; and the manner in which it was to be expended was to be determined by a subsequent convention. For this purpose, a convention between Great Britain, the Netherlands, and Russia, was signed 19th May, 1815. In the preamble it was stated that the King of the Netherlands was desirous to make a suitable return to the Allied Powers for having delivered his territories from the French; that the Allied Powers had, in consequence of arrangements with each other, agreed to waive their pretensions in favour of Russia, and therefore the King of the Netherlands had resolved to execute with Russia a convention. And to this convention his Britannic Majesty agreed to be a party, in pursuance of the engagements formed by the Convention of 13th August, 1814. Those engagements were, as I have already said, that we should pay a sum not exceeding three millions of pounds sterling towards the settlement of the affairs of Holland. In consequence of these engagements, it was agreed, in the Second Article of the Convention, that we should pay, on behalf of the Netherlands, a certain sum to, or rather for Russia, namely, that we should take upon ourselves a portion of the debt due by Russia on account of a loan raised by the house of Hope and Company of Amsterdam. We agreed to pay the interest of a portion of that loan, together with an annual sum for its ultimate liquidation. And as we had engaged to make those payments in such a manner that the union of Holland and the Low Countries should be finally settled, it was expressly stipulated with Russia, on the 5th April, that the payments should cease if the union were broken prior to the liquidation of the debt. The following facts, therefore, seem to me sufficiently proved: 1. That we agreed to purchase from Holland certain colonies, for a sum not exceeding six millions of pounds sterling. 2. That the King of the Netherlands agreed to compensate Russia for a portion of the expense incurred by Russia in liberating his territories from the dominion of France. Instead, however, of our paying a certain sum of money to Holland, and Holland paying a portion of that sum over to Russia, it was agreed that we should pay Russia at once, or, what was the same in effect, that we should take upon ourselves a portion of a debt due by Russia. In fact, therefore, the Russo-Dutch loan became a debt due from England on account of the purchase of certain Dutch colonies. The question is—are we justified in repudiating that debt, and at the same time retaining possession of those colonies? I think not. I think the Convention of the 16th November, 1831, would not justify such a proceeding. That convention was executed in consequence of the separation of Holland and Belgium. That separation verbally released us from the obligation of paying the interest of the Russo-Dutch loan; for the express condition was, that those payments should cease in the event of the union of the two countries being broken. But that condition was made with the view of securing an agreement between the policy of Russia and that of England with regard to the Netherlands. It was made to prevent a separation between Holland and Belgium, because we believed that such a separation would be impolitic and injurious to our interests. In 1831 we changed our mind upon this subject. We approved of the separation which had taken place between the two countries—we wished Russia to consent to it; and therefore, in accordance with the spirit, though in direct opposition to the letter of the Convention of 1815, we continued our payments on account of the Russo-Dutch loan, and executed the Convention of 1831. In that convention certain words, which have been read to the House, were inserted in the preamble with reference to the arrangements made at the Congress of Vienna; and from those words it is inferred that any infringement of those arrangements would render the Convention of 1831 null and void. With regard to this point I must observe, that in the Convention of 1831 there is no express condition with respect to the arrangements of the Congress of Vienna similar to the condition which exists in the Convention of 1815, with regard to the union of Belgium and Holland. In the Convention of 1815, there is an article which expressly provides that if the union of Holland and Belgium shall cease, the payments on account of the Russo-Dutch loan shall cease likewise. In the Convention of 1831 there is no provision whatever that if the arrangements of the Congress of Vienna be infringed, the payments in question shall cease. If it were our intention in that convention to take security for the fulfilment of the arrangements of the Congress of Vienna, why did we not insert a proviso similar to that which we had inserted in the Convention of 1815, with regard to the union of Holland and Belgium? If we had acted in that manner, then there could have been no doubt upon the subject. At present I entertain strong doubts, though I will not absolutely deny that if the Convention of 1831 be construed in the strictest and most literal manner, it may not open a loophole by which we may escape the payments in question. But, Sir, when I consider that four great colonies have been ceded to us on condition of making certain payments, I think it would be unworthy of an empire like this to avail itself of a doubtful point in a treaty in order to repudiate a debt, and at the same time to retain possession of a property, for the purchase of which that debt was incurred. In condemning the conduct of the Three Powers in disregarding the obligations of treaties, let us not be supposed to be actuated by mercenary motives, and inclined to imitate their example.

Viscount MAHON observed, that so far as regarded the immediate question before the House—the resolutions proposed by the hon. Member for Montrose—he should be content to rest his vote on the very powerful and eloquent speech of the noble Lord opposite (Lord J. Russell); but he was desirous to offer a few observations on the general question of the seizure and annexation of Cracow. He was not one of those who had thought it a duty to promote or support any steps for establishing what was termed the nationality of Poland. However much the partition of Poland was to be deplored, he had looked upon it as a fact fulfilled; and he had considered that the revocation of that act within his time was an event beyond all bounds of reasonable probability, while the attempt to obtain such a revocation would serve no other end than to aggravate the sufferings of the Poles themselves. On the other hand, he felt great esteem and high respect for that eminent statesman, who had for thirty-five years administered the affairs of Austria—Prince Metternich; and he had seen with pleasure the pacific disposition manifested by Austria in its foreign relations, as tending to maintain the balance of power in Europe. But, notwithstanding these prepossessions, he was bound to declare that he considered the seizure and annexation of Cracow altogether unjustifiable. He did not think that any valid defence of that act could be offered. He did not at all concur in the argument which they had heard on the first night of the Session from the hon. Member for Shrewsbury (Mr. Disraeli); and which, though ingenious, did not appear to him by any means conclusive. He considered that they ought to look to the Treaty of Vienna as a whole; and that they had a right to protest against the conduct of any Three Powers, in taking any one article out of that treaty, or out of the annexes of that treaty, and dealing with it separately, without reference to the other great contracting Powers. He considered that the Treaty of Vienna, in the present century, stood nearly upon the same foundation as the Treaty of Westphalia in a preceding century; as a great European settlement; as a kind of charter or landmark among the nations; as the authority to which subsequent claims and pretensions might be in no small measure referred. It followed therefore, in his opinion, that the disturbance of the Treaty of Vienna by the act of three of the Powers, was, so far as that act was concerned, to disturb the balance of European politics. But the question might be considered in another point of view, in which it had been very ably put by the hon. Member for Southwark. In the Treaty of Vienna, each party gave way in some respects, in order to gain in other respects. France was interested in the maintenance of the nationality of Poland; England, as they knew from the despatches of Lord Castlereagh, lately laid upon the Table, was also interested in that question. France at that period had to make large territorial sacrifices; England also had to cede several colonies which were then in her hands. He would ask whether it might not be fairly presumed, therefore, that this establishment of the free State of Cracow was intended, among other objects, to afford some satisfaction to those two Powers which took an interest in Polish affairs? Had any sovereign a right to lay great stress and validity on those articles which provided for his own territorial aggrandizement, and at the same time to reject and repudiate those other stipulations in which the feelings, if not the interests, of the other parties to the treaty were concerned, and which might fairly be regarded as articles on the other side of the account? He did say, therefore—and in saying so he did not say more than had been admitted by the Prussian Minister, M. de Canitz, to our Envoy at Berlin—that this was a question which ought not to be decided by Three Powers, but by Five, and that two principal parties to the Treaty of Vienna had not been consulted. But now he was asked by the hon. Member for Montrose to express this sentiment in an abstract form; and the hon. Member proposed to add to a resolution containing such an expression other resolutions, imposing what he might term a pecuniary mulct upon Russia. He confessed that he had an objection to vote for the first resolution, unless he could also vote for the fourth. He regarded the first resolution as a mere abstract resolution—a mere *telum imbelle sine ictu*, such as that House should beware of passing, unless it was able to give it practical effect. With regard to the fourth resolution, they had been told by the noble Lord opposite (Lord J. Russell), that the opinions of the law advisers of the Crown had been taken on the subject, and that their opinion was adverse to the discontinuance of this payment. Would the nation, then, be justified in taking such a course with the opinion of the law advisers of the Crown even doubtful upon such a point? He entertained the strongest objection to its being supposed that this country even appeared to receive pecuniary compensation for the seizure of Cracow. He would not consent to measure such a transaction by the scale and standard of money. He thought it more conformable not only with the justice of the case, but with the dignity of our empire, that we should not gain any pecuniary advantage for ourselves from the loss of the independence of Cracow; and, therefore, with respect to the fourth resolution, he was prepared to take the course which had been recommended by the noble Lord opposite (Lord J. Russell). He was therefore willing on the first as on the fourth resolution, to vote with Her Majesty's Government on this occasion. He did not wish to go more fully into the question, since, as it seemed to him, the main advantage of the present debate would arise not from any fulness of detail by any one Member; but rather that from a great number of Members, and from every shade and variety of opinion in the House, there might go forth one unanimous expression of regret and of blame at the course which Austria, Russia, and Prussia, had recently pursued. But without entering further into the argument on the question, he would express a hope that the words which had been spoken, and yet would be spoken, in reference to the annexation of Cracow, might reach beyond those walls, and convince the statesmen of the Three Powers that the line lately pursued by them would not tend to secure either the submission of Poland or the sympathy of Europe. Let them be persuaded that measures of rigour and severity were in their very nature precarious and short-lived, and that power was only to be consolidated by affording to all races and classes of subjects the same equal rights, and by setting them the first example of respect for plighted engagements.

Sir R. H. INGLIS could not agree with his noble Friend, when he spoke of the extinction of the nationality of Poland. Though in three several instances Poland had been subjected to a fate to which no Christian nation had ever been subjected, still, at least up to last year, the nationality of Poland was secure, as far as treaties could secure it, and its literature, language and religion, were preserved. The case of Poland was not, therefore, as hopeless as the noble Lord assumed it to be. The noble Lord had asked, if the House were going to vote for an abstract resolution? But when the noble Lord joined the House in an Address to the Crown in answer to Her Majesty's Speech from the Throne, was he not in effect voting for that which the resolution before the House affirmed? What did Her Majesty state in Her Speech? That the extinction of the free State of Cracow has appeared to Her Majesty to be so manifest a violation of the Treaty of Vienna as to cause Her Majesty to enter her protest, and command that that protest be delivered at Vienna and St. Petersburgh.

Now, the Address to the Crown contained a literal transcript of that passage in the Speech. The Address thanked the Queen for having stated to the House, that "the annexation of the independent State of Cracow to the empire of Austria appeared to Her Majesty to be a manifest violation of the Treaty of Vienna." The question which the House had to decide was not merely one of pounds, shillings, and pence; but whether the incorporation of the free State of Cracow were or were not a violation of the Treaty of Vienna. If the Motion could be resisted upon any feasible ground, it could only be this, that it was needless, inasmuch as the House had already admitted the annexation of Cracow to be a manifest violation of the Treaty of Vienna. [Lord G. Bentinck: No, no!] He would be very glad to know how his noble Friend could explain away the terms of the Address in answer to the Speech from the Throne, in which Address the House recited, without contradicting, at all events, the declaration that the Treaty of Vienna was "manifestly violated." It might be now too late, perhaps, to consider whether, if a Minister —even one of the lowest rank—had been sent from the Crown of England (as had been almost promised to that House) to reside at Cracow, the event which they all deplored would have taken place. One thing, however, he was sure of, that the principle which justified the annexation of Cracow to Austria, would also justify the annexation of Frankfort, or Hamburgh, to any Power strong enough to seize either, or the extinction of any of the minor States of Germany. What was to hinder any other Power in Europe, having equal disregard to the faith of treaties, and finding a convenient opportunity, from annexing a smaller State to its own, if the principle pursued with respect to Cracow were once recognised? A treaty was the charter of nations, and should not be regarded—as an hon. and learned Member of that House at the time of the American war, he believed, had once described a charter to be, namely—as a piece of parchment with a piece of wax dangling at it; a treaty should be regarded by nations as charters were by municipal institutions. He contended that in the affair of Cracow, the great security of Europe with respect to its international relations, had been essentially violated by the conduct of the Three Powers referred to. Whenever he considered the fate of Poland and the conduct of England with regard to that country, he had one consolation—namely, that whatever France had done, England at least had never encouraged Poland to expect armed assistance from her. It might be asked, "If we are not prepared to go to war for the sake of Cracow, why did we propose to enter on the Journals of the House the resolutions under debate?" He thought that good would be effected by the representative body of such a nation as England, putting upon solemn record a declaration, that a great moral and political crime had been perpetrated. Looking at war as the greatest of all calamities, he thought it ought not to be undertaken, unless in self-defence, or in the vindication of such principles and duties as ought to be paramount. He should not be prepared to go to war with any of those Three Powers on account of Cracow; but there was an intermediate line of conduct which it became the House to pursue. Her Majesty had entered her protest against the conduct of those Three Powers; and every hon. Gentleman who had addressed the House concurred in that protest; he therefore trusted that a unanimous vote would be given in support of the resolution. It was perfectly true that England and France did not sign the specific piece of parchment which granted to Cracow its independent existence; but could any one deny that the Five Great Powers signed that general treaty, in the recital of which the independence of Cracow was contained? If so, could it be contended that because the signatures of England and France were not put to a previous instrument, they had no right to complain of the annexation of Cracow? For these reasons he should give his cordial support to the proposition which in the first instance would come before the House. He did not mean to say that he should give the same to the remaining resolutions.

Lord G. BENTINCK said: Sir, the hon. Member for Montrose was, the other night, good enough to inform the House that he was perfectly ashamed of my hon. Friend the Member for Shrewsbury and myself for the course we had taken in reference to the Address to the Crown. I am sorry to say that I fear, by the course I am going to take to-night, that I am not likely to restore myself to the good opinion of the hon. Gentleman. For though I listened with great attention to his speech, during the whole course of it, there were but three sentiments in it in which I could concur. The one was, that nothing could make him forget pounds, shillings, and pence; the second, that he considered a general peace as the greatest blessing the country could possess; and the third was, that he trusted we should have the moral courage to act honestly. Now, Sir, with regard to the last, I think the hon. Gentleman took a strange course, in his endeavours to prove to the House that he had a great desire to act honestly when he proposed that, on such slight grounds as he set forward, we should cheat the Emperor of Russia of his money. But if I cannot hope to restore myself to the good opinion of the hon. Gentleman, still there will be this consolation for him, that he does not stand political godfather either for my hon. Friend or myself, and that, as he said the other night that he had but one sin, if indeed he had any sin at all, he will not have the sin upon his shoulders of having to answer for us. I must enter my protest against the doctrine laid down by my hon. Friend the Member for Oxford, when he declared that the House pledged itself in the Address to the Crown to a concurrence in the declaration of Her Majesty, that Austria, Russia, and Prussia had been guilty of a manifest violation of the Treaty of Vienna. My hon. Friend the Member for Shrewsbury, in a speech that, I think, was not answered during these discussions, entered a protest against being pledged to the sentiments contained in the Speech from the Throne. But that was not all. The mover of the Address to the Throne studiously avoided pledging the House to any such thing. The Answer of this House stated merely, that we humbly thanked Her Majesty for the information she had given, namely, that she had directed that a protest might be made to the Emperors of Austria and Russia, and the King of Prussia; and that Her Majesty was pleased to say that the annexation of Cracow appeared to her to be a manifest violation of the Treaty of Vienna. And Her Majesty, at the same time, informed the House that she would lay before the House the papers that would elucidate the matter. But we pledged ourselves neither in one way nor another to the declaration that the incorporation of Cracow was a manifest violation of the Treaty of Vienna; and upon reflection, and a close study of all those documents which have been laid before the House, I have come to a mature conviction that there has been no violation whatever of the Treaty of Vienna. But to treat of what I must call a minor question first—namely, the payment of the money—I may say that I so entirely concur in the statements so lately made by the hon. Baronet the Member for Southwark, that I shall detain the House but a very few minutes on that point. But I must take leave to observe that one point has not been touched upon by any speaker who has preceded me. It is this: it is admitted in the Convention of 1831, and it is also, if I mistake not, recited in the Act of Parliament, that it was in consideration of Russia having given in her adhesion to the general provisions of the Treaty of Vienna, which were still in full force, that the convention was signed, and the Act of Parliament passed. Now, Sir, it will be recollected that the Ninth Article of the Treaty of Vienna, which article relates to Cracow, recites that a complete neutrality is granted to Cracow, and that no military force, upon any pretence whatever, was to be permitted to enter the free State of Cracow. Now, if it be true that any infringement of the articles which relate to Cracow are a manifest violation of the Treaty of Vienna, it is perfectly clear that no less a violation of the Treaty of Vienna had been committed in November, 1831, than had been committed at the present day. For, at the very hour when the convention was signed, and at the very time that that Act of Parliament was passed, Russia was in military occupation of Cracow. Then, Sir, we have the assurance, not only of the convention that was signed in November, 1831, but we have the recital of your Act of Parliament, passed in July 1832, that in the opinion, not only of the parties to that convention, but in the opinion of both Houses of Parliament, the military occupation of Cracow, though it was in contradiction to some of the articles of the Treaty of Vienna, was no violation of the general Treaty of Vienna, which at that time continued in full force. But when Gentlemen talk of treaties, they seem to forget that there are two parties to a treaty, and that a treaty, like any other contract, must be kept on both sides. Now, though it be true that it is one of the conditions of the Treaty of Vienna, that there should be, on no pretence whatever, no military accupation of the free State of Cracow, and that it should remain a free city, it was a condition on the other side that Cracow should observe a strict neutrality; and it was expressly stipulated that she was to give no asylum and no protection to any refugees, or to any persons prosecuted by the law. Now, no State could by possibility be a greater delinquent in these respects than Cracow. If it were worth while for me to go back to the years 1831 and 1832, I could show you, by the correspondence, that there were found in those years no less than 2,000 refugees in the free State of Cracow. It was stated by the hon. Gentleman who opened the debate to-night, that there was no just pretence for the interference of Austria; and it was stated by the noble Lord the First Minister of the Crown on a former night, that he suspected that the disturbances in the free State of Cracow were far from being unacceptable to the Government of Austria. I think there never was a charge made upon less foundation than that charge made by the noble Lord. If Mr. Magennis is to be trusted, it appears certain, beyond all doubt, that Austria did all that lay in her power to maintain the peace of Cracow, and that as soon as the Senate of Cracow called upon the Emperor of Austria to send her aid to keep the peace, Austria sent a force 800 strong for that purpose. And it was not till the Polish immigrants, as they are called, and not, as I believe, the loyal inhabitants of Cracow, appeared in a force of 5,000 strong, that the troops under General Collin thought it prudent to retreat. The noble Lord the Secretary of State for Foreign Affairs, in his answer to Prince Metternich, held the same language as the noble Lord the First Minister of the Crown, and stated that it would have been perfectly competent to the Austrian troops to have held their ground. I was not so surprised to hear the noble Lord the First Minister of the Crown, to whom such great naval courage has been ascribed, state, that it was unbecoming in the Austrian troops, though only 800 strong, to retreat before an army of more than five times their number. On the contrary, I expected that argument from my noble Friend opposite. I think he might for a moment have fancied that he was not the Lord of a hundred nights, but the hero of a hundred fights, when he fancied that the legions of Austria might, under such circumstances, hold their ground. It appears by these papers, that on the 18th of February the Austrian troops advanced to Cracow, but that on the 22nd General Collin found it prudent to retire. On that same day (the 22nd of February) the manifesto of the Polish Government was put forth, in which they proclaimed, amongst other things, that they were 20,000,000; that their brethren were in arms at Posin, and prepared to revenge the wrongs of Poland; and they called upon the people of Poland to unite, and, as the symbol of their union, to take an oath. Accordingly an oath was prescribed, and they swore fidelity to their country, and implicit obedience to the Government of the revolution. Well, Sir, what are the articles of that revolutionary constitution? And here I trust that the Gentlemen who fancied that the spirit and the cause of freedom and of liberty were endangered in the case of Poland, will hearken for a moment to the terms of the constitution of Poland—the constitution of this revolutionary Government, with which the hon. Member for Montrose is so much in love. The first article of that constitution is, that the Government of Poland is absolute. Well, but what is the second article of this same constitution, of which the hon. Member for Finsbury seems also to entertain such admiration? Why, the second article of this free constitution is, that every person to whom the Government, or any authority under the command of the Government, shall propose any office of command, place, or post, and who shall not accept and fulfil such appointment, shall suffer the pains of death. The third article of this revolutionary constitution is, that every person capable of bearing arms, shall, within twenty-four hours after the publication of the manifesto of the national Government, put himself at the disposal of the authority of the place where he resides, and on his failing to do so, shall be tried as a deserter by a court-martial. The fourth article of this free constitution is, that every person who shall defraud the public moneys, or usurp public authority, shall be punished with death. The fifth article provides that every one forming part of any club, committee, or society, without the sanction and consent of the Government, shall be declared a traitor to his country, and as such shall suffer death. The sixth article is, that any person who shall be guilty of the destruction of any signal, or in impeding any person in making a signal, shall also be punished with death. Then, I ask, whether any man, who can lay his hand upon his heart and say that he is a lover of true liberty and of freedom, can agree in the admiration of this Polish republic? Sir, we heard something to-night from the hon. Gentleman the Member for Pontefract of the misconduct of the Austrian Government in giving encouragement to the Gallicians to murder the landed proprietors of that country. I am at a total loss to find in these papers any evidence of the kind: quite the contrary. It appears by the statement of Mr. Magennis that the first information received by the Austrian Government is as early as the 18th of February, which was derived from deputations arriving at the seat of the Austrian Government from no less than seventy villages in Gallicia, praying for assistance against this very Polish immigration; and it appears by these accounts, if they are to be trusted, that so far from the Austrians having excited them to revolt against their superiors, that it was not till those landowners and others who were parties to this insurrection had recourse to force, and as madmen, as they are described by Prince Metternich, shot down some of the peasantry who refused to join in their wicked insurrection, that the peasantry of Gallicia rose in self-defence upon their persecutors. Sir, it was well stated by Prince Metternich, in one of these public papers, that to call upon the peasantry of Gallicia to rise up and cry out for the restoration of the kingdom of Poland, was only to recommend them to call for that *ancien régime*, that harsh system under which they had suffered so much; it was to tell the peasantry of Poland that they were serfs under the *ancien régime*, and that they had become the proprietors of land under the rule of Austria. Why, then, is it to be wondered that the Gallician peasantry should rise as one man, as they did against this Polish invasion, against the renewal of the tyranny of which they still possessed a traditional recollection? And it seems, that though unarmed, they were able to rise against these persecutors, and to kill no less than six hundred. But, Sir, it is pretended that Austria, on this occasion, has no just ground for breaking the Treaty of Cracow. Why, either the Cracovians, or the Cracovians and Poles together, were the first to invade Austria; they crossed the Vistula 5,000 strong, and advanced to Podgorze and Wielicza, into the richest part of the territory of Austria, the country of the salt mines. Unless this Treaty of Cracow deprived Austria, and deprived Russia, and deprived Prussia, of the first law of nations, which consists in self-preservation, I cannot understand upon what principle or upon what argument it can be pretended that Austria had not a right to carry war into the heart of the city of Cracow; and, if she thought fit, to treat her as a conquered nation. But, Sir, with respect to the pretence that Austria and Russia and Prussia had no right to alter that part of the Treaty of Vienna, comprised in the articles entered into at Cracow, I can only repeat the argument which was so much more ably used by my hon. Friend the Member for Shrewsbury on a former occasion, and remind the House that these articles entered into at Cracow were not articles of a treaty signed in chief, either by Great Britain, by France, by Sweden, by Spain, or by Portugal; and I repeat again, that I believe the law of nations to be that an annexed treaty stands on very different grounds from a treaty signed in chief. The House heard from the noble Lord (Lord J. Russell), on a former night of this debate, that England had never violated or evaded, broken or set at nought, any treaty to which she was a party; but how, then, was the House to reconcile the statement that here was a manifest violation of the Treaty of Vienna, with the circumstance that, in a like case, Great Britain—as the noble Lord confessed—favoured the separation of Belgium and Holland? The two cases stood on precisely the same ground; the same words applied to both. By the 73rd Article of the general Treaty of Vienna, it was stated—

> "His Majesty the King of the Netherlands, having recognized and sanctioned, under date of the 21st of July, 1814, as the basis of the union of the Belgic Provinces with the United Provinces, the eight articles contained in the documents annexed to the present treaty, the said articles shall have the same force and validity as if they were inserted word for word in this present instrument."

Now these are words stronger, if possible, than those in the articles entered into relative to Cracow. Well, but then what was the course taken when Belgium rose in revolt against Holland, and when France marched her troops across the frontier? Were any parties to the original treaty invited to a conference with respect to the annexation of Belgium with Holland? No; neither Sweden, nor Spain, nor Portugal, were invited by Great Britain to that congress. True it is that France, who had signed the treaty, was a party to that conference; but not in virtue of the Treaty of Vienna, but because her troops had crossed the Belgian frontier. Well then, Sir, the noble Lord the Secretary of State for Foreign Affairs, in his remonstrance to

Prince Metternich, states that no treaty can be abrogated without the concurrence of all parties to it. Let me ask the noble Lord whether Russia concurred, or Austria concurred, or Prussia concurred, or the Netherlands concurred, or whether Sweden, Portugal, or Spain, concurred in that treaty for the separation of Belgium from the Netherlands, prior to the period when the noble Lord signed with the Minister of France the Convention for the separation of those countries? Why, Sir, Prussia, far from concurring—Prussia offered to send sixty thousand men to drive back the French from Belgium, and to put Belgium under the dominion of the King of the Netherlands. Therefore, if this be a manifest violation of the Treaty of Vienna, what was the condition of England in 1830, 1831, and 1832? Why, Sir, in this case you had Three Powers who were parties to the treaty in chief, who agreed to concur in a new arrangement with respect to Cracow; and in the case of Belgium and the Netherlands you had no one single Power in concurrence with you, out of the Eight Powers who signed the Treaty of Vienna, except France alone. True it is, that at a later period you obtained a ratification and concurrence in the treaty which you had signed; but that does not alter the position of England. If it be a violation of the Treaty of the Congress of Vienna, when Austria, Russia, and Prussia were alone signers in chief of the original annexed article, how much more was yours a violation of the Treaty of Vienna in 1831, when not only you did not seek the concurrence of all parties who signed the general treaty, but you did not wait even for the concurrence of three out of the four Powers who had signed the treaty for the settlement of the affairs of the Low Countries? Why, Sir, the laws of nations are like the written or common law of the land, and are to be learnt from the practice of great nations. And, unless you say that it is not the duty of a great nation to set an example in maintaining the faith of treaties, you have no earthly pretence whatever for saying that either the Emperor of Russia, or the Emperor of Austria, or the King of Prussia has violated the Treaty of Vienna, as regards the letter of it. But I now look at the spirit in which the Treaty of Vienna was drawn up. I will now examine the statement which has been made, that the object of the Treaty of Vienna was, as far as Cracow was concerned, to maintain inviolate the nationality of Poland, as far as that free State was concerned. Anything more contrary to the evidence that you have before you—anything more contrary to truth, never was propounded in this House. It may be well enough for those perpetual prattlers about freedom and nationality, to make such statements in the Freemasons' Tavern, and in places where no answer can be made to them; but to state that the spirit of the Treaty of Vienna, as far as the Cracow articles are concerned, was to maintain the nationality of Poland, is more directly adverse to facts than any statement that ever was made. You have here before you the correspondence of my Lord Castlereagh; and what was the object of that correspondence? Was it to secure the nationality of Poland? Far from it. It was to do that very thing which Prussia has now at length acceded to. The object of my Lord Castlereagh was to secure Cracow to the dominion of Austria; and so earnest was the Emperor Alexander on the one side to maintain this military key to the empire of Austria, and so earnest on the other hand were Great Britain and France that Russia should not be permitted to advance her military frontier from the Vistula, that England, and France, and Austria, absolutely signed secret articles of offence and defence on the 3rd of February, in order to defeat the ambitious designs of Russia. The object of Lord Castlereagh was to carry out the Treaty of Reichenbach of 13th of June, 1813, in which Austria, in consideration of her stipulation to join the allied forces, was guaranteed the restoration of her portion of the duchy of Warsaw, which had been wrested from her by Napoleon; whilst Prussia, on the other hand, refused to Russia the possession which she desired to have. But you say that we were parties to this Treaty of Cracow, and that Lord Castlereagh took this deep interest in the affairs of Austria, though he was not permitted officially to enter into the discussion with respect to the arrangements regarding the free State of Cracow. With respect to this nationality of Poland, what does the noble Lord say, treating of the Poles? The hon. Member for Montrose says, that though his Lordship was a cold-hearted man, he admired some of his letters. I admire them too, and the vigour with which he sought, not to restore the nationality of Poland, but to maintain for Austria her military frontier against Russia. Now, for those who argue that the spirit of the treaty was to maintain that nationality: In Lord Castlereagh's first communication to the Emperor of Russia, which was of an unofficial and private nature, he argues with him, and says, in a memorandum, that the advance of Russia—

> "From the Niemen into the very heart of Germany, her possession of all the fortresses of the duchy, and thereby totally exposing to her attack the capitals of Austria and Prussia, without any line of defence or frontier; the invitation to the Poles to rally round the Emperor of Russia's standard for the renovation of their kingdom; the giving new hopes and animation, and the opening now scenes for the activity and cabals of that light and restless people; the prospect of renewing those tumultary contests, in which the Poles so long embroiled both themselves and their neighbours; the dread that this measure inspires of laying fresh materials for a new and early war; the extinction it produces of any reasonable hope of present tranquillity, confidence, and peace—all these, and many more considerations, present themselves to the general view, and justify the alarms that pervade Europe."

Where is there to be found any sentiment in that passage which shows a desire to raise in Cracow a new nationality for Poland? So far from that, it was perfectly adverse to the wishes and desire of himself and of Great Britain; and, speaking of the Treaty of Reichenbach, he says—

> "If the words of the treaty were as ambiguous as they are plain and conclusive, no person could possibly give such a construction to them as that these two Powers, who were then making engagements for the delivery of Europe, were induced to embrace that cause by covenanting their own military exposure to a powerful neighbour."

What, was Austria to assist? The dissolution of the duchy of Warsaw, and the separation of the provinces which composed it between Austria, Prussia, and Russia, according to the arrangements to be made, without any intervention from Great Britain. Now, Cracow happened, from the year 1799 to 1809, to belong to Austria, and it was only in 1809 that Cracow was wrested from her by Napoleon, and constituted, at the desire of the Polish nobility, a portion of the grand duchy of Warsaw; and the object of the treaty, as well as of Lord Castlereagh, was to restore things to the state they were in before 1809. To show, in truth, how little, as far as Cracow was concerned, Russia, Austria, or Prussia admitted Great Britain and the other Powers to enter into their arrangements, it is only necessary to quote the letter from the Emperor Alexander, on the 1st of November, in which he cut Lord Castlereagh short, and giving him a rebuff on the subject in very laconic language, concludes by stating—

> "I trust, my Lord, that this communication will close this private correspondence, requesting you to transmit your official papers through the usual channel."

From this time no other communication took place between them, at least so far as appears from the returns on the Table. If there are other papers, how comes it that the noble Lord the Secretary of State has kept them back? He ought to have given us all the documents which exist on the subject; but this is certainly the last which appears in the correspondence; and while Alexander writes this with his own hand, he encloses a memorandum written by Count Nesselrode, in which the Count concludes by stating—

> "We will conclude by remarking that the intervention of a mediator in every discussion is doubtless desirable, and may be beneficial whenever it serves to bring opinions closer together. In the contrary case, it is preferable to leave to the interested parties the task of discussing their differences, and of entering into explanation between themselves, especially when a close connexion, and a reciprocal confidence constitutes the most active principle of their negotiations."

So that while Alexander cut short Lord Castlereagh in very laconic language, his Minister also declines the mediation of England. This was so far back as November, 1814; and the Treaty of Cracow was not signed between the Three Powers till the 3rd of May in the following year, and engrafted into the General Treaty on the 9th of June. Therefore, it appears clear, that if those Three Powers undid the treaty without the assistance of Great Britain or their allies, they are only untying the knot as they had tied it. But notice was given to the noble Lord the Secretary of State, so far back as the 14th August, by Sir R. Gordon, that the Three Powers would not admit any interference of any other Power in their consultations for the settlement of the affairs of Cracow. If the noble Lord received that communication from Sir R. Gordon on the 22nd August, how came it that he did not at once remonstrate and say, "You have no right to settle the affairs of Cracow, and to undo the treaty without our consent and without a conference with us." But no remonstrance, no protest was made by the noble Lord till the subsequent 6th of November, when he had learned it was *un fait accompli*, and that Russia and Prussia had decided Cracow should be absorbed into Austria. Having now shown, by the example of your own conduct in the case of the Netherlands and Belgium, that Austria, Russia, and Prussia have proceeded in this instance according to the ordinary course of such matters, and that the treaty was undone in the same way as it was made; and having shown you that the present arrangement has been carried out in the spirit of the treaty as it was made by Great Britain, if her wishes had been consulted in this matter, let us consider how far the Cracovians themselves, in all other substantial interests, have been consulted. Originally Cracow was not admitted to any conference at all. I am now referring to the Treaty of 1815. You had forty-seven empires, kingdoms, cantons, republics, free States, and free towns represented at that conference; and you had about ninety corporate bodies and individuals also represented there. You had there the free towns of Hamburg and Bremen, Frankfort, and Lubeck. You had even the Jews of Bremen and of Lubeck represented there, as well as the Lady Abbess of Thorn, and even the pretenders to a small duchy; but Cracow was not represented at all; and the whole consideration with regard to it was how far its remaining strictly neutral, or its being annexed to Russia or to Austria, would add to the military power of either. The question was settled at last as it remained till last year, not because the contracting parties agreed to the wishes of Cracow, but because, happily for the peace of Europe, at the very moment when Russia had determined not to give way, nor resign the advancement of her military power, when she had quartered 280,000 men on Poland; and when Prussia, satisfied with Thorn being given up, had armed her contingent of 173,000 to side with Russia, while the Anglo-Belgic army only numbered 80,000 men: when France had been called upon to disarm 200,000 men, and Austria had put 200,000 on the footing of a militia, Napoleon mistook his time, and chose to descend upon the coast of France, when the fear of the common enemy and the influence of the common danger roused them to forego their differences; and the great Powers not being able to settle the great question, agreed to settle their differences at all events, and to leave Cracow neutral, to be governed week by week under the surveillance of one of the Three Powers, not as a free State, like Hamburgh, Bremen, or Lubeck, but as a State altogether under the protection of those Powers. Well, then, let us see how the interests of Cracow itself have been concerned. The hon. Gentleman the Member for Montrose read an anonymous letter. He told us he could not give us the name, but he read us an anonymous declaration, which he said was the very contrary to the statement which he has ascribed to me of bonfires and music and dancing, which the hon. Member told us I had stated to the House had occurred at Cracow upon the proclamation on the part of the Austrian Government. Sir, I do not doubt the hon. Gentleman has himself received such a declaration as to bonfires and music and dancing; but I never made any such statement to the House. I made no such declaration at any time. [Mr. Hume: You said there were illuminations.] I stated there were illuminations—that the proclamation was received with acclamation by the people—and that there were illuminations at night. I will prove to you that that is the feeling of the Cracovians themselves. I will prove to you, though not upon anonymous authority—I will prove to you upon a statement of that kind which cannot be easily doubted, that the feelings of the Cracovians are very different from those which the hon. Gentleman has represented them to be. I have already stated to you what the feelings of the Gallicians were. We have here a despatch from Colonel Du Platt, our Consul-General in Warsaw; and what does he state? He states that after the reception of the proclamation, when the Russian army marched out of Cracow, they were accompanied for seven miles by thousands of the inhabitants of all classes, who repeatedly treated them with the most enthusiastic cheers, not only for themselves, but the Emperor Nicholas. Now, that is the feeling displayed towards the Emperor Nicholas, in contradistinction to the feelings which they entertained for the Polish immigrants. Now, Sir, with regard to Austria, I think I have shown you conclusively, first, that the people of Cracow had just reason to rejoice at the contrast which the Austrian Government afforded to this reign of terror, which was worthy of the days of Marat or of Robespierre, and which would have been aggravated and continued had the Poles succeeded. I will now show you what the conduct of Austria has really been, and prove to you that she has fulfilled her promises to Cracow; and that the Cracovians, so far from being afflicted, have good grounds for rejoicing at the change. The House has heard a great deal about the constitution, of revolution, and of the manifesto of the National Government of Poland. I will read for you the declaration of the Emperor of Austria :—

> "We, Ferdinand I., by the Grace of God, Emperor of Austria, by these presents, take possession of the city of Cracow and of its territory, such as it has existed up to the present time ; unite it to our crown, and declare it to form an integral portion of our empire, in which we incorporate it henceforth."

[Mr. T. DUNCOMBE : Hear.] The hon. Gentleman cheers ; but does the Emperor promise trial by court-martial, or summary prosecutions ending in the death of the accused ? Does he declare all traitors if they venture without his authority or sanction to become members of clubs, committees, or of any society whatever ? I wish those who admire that sort of "freedom" had been in Cracow at the revolution, so that they might get a taste of this "free" government. I wish that those who are anxious that the colonies and provinces of this empire should cast off the dominion of the mother country and become "free," would reflect upon Cracow in the days of her "freedom," and perhaps they would see that those advantages were not, after all, so enviable or so delightful. But, Sir, I am not indulging in any loose or general statements. Let us look to documents—authentic, not anonymous documents—let us inquire into the real facts. What says the Emperor of Austria further ?—

> "We promise them in return to maintain and to protect our holy religion ; to administer justice impartially ; to apportion according to the laws of equity the public burdens."

The hon. Member for Montrose, who is so fond of pounds, shillings, and pence, will no doubt appreciate this article. [Mr. HUME : I do not.] The document goes on to say—

> "Finally, to watch strictly over the maintenance of general security. All those who, by a prompt submission to the present measure, which has for its object their own well-being only, and by their fidelity and attachment to our House, shall render themselves worthy of our favour, shall always find in us a paternal Sovereign and a clement Emperor."

["Hear!"] I quite understand the cheer; but let the facts speak for themselves :—

> "And we shall exert ourselves to the utmost to cause them to participate in the benefits which the annexation to a great and powerful monarchy can procure for the inhabitants of Cracow."

Is it not a pleasure to contrast the tone and diction of this document with the threatening of death and the arbitrary edicts of the "free" Government against all those who would dare to refuse to accept and fulfil the dangerous duties devolved upon them ? Is it not, I say, a pleasure to every man who admires well-regulated freedom ; who loves order and hates anarchy, to compare the contents of this proclamation with the threats of the revolutionists against

> —"all who are capable of bearing arms, and who do not repair within twenty-four hours to the place of rendezvous, and put themselves at the disposal of the authorities of the place ?"

And, if not—

> "Such persons would be tried as traitors before a court-martial ; and every free man who shall, without sanction of the revolutionary Government, be a member of a committee, or of any society whatever, shall be declared a traitor to his country."

Now, Sir, I come to the evidence of how the promises of Austria were fulfilled. I quoted authorities, which were disputed the other night. I will now quote authorities which perhaps will be received with more confidence by the hon. Gentleman opposite : one is from a correspondent of the *Times* newspaper; and the other from a correspondent of a republican newspaper at Hamburgh, written from Cracow. The correspondent of the *Times* wrote from Vienna, and his letter was dated November the 14th. He speaks thus :—

> "The astounding news of the incorporation of Cracow with our monarchy caused, at the first moment, an extraordinary sensation. While some call it a melancholy legacy of the revolution of the nobles, others rejoice at it for the interest of Cracow itself, which being henceforth united with so great a State, will consequently participate in all the blessings of commerce and manufacture which are now so rapidly advancing."

I will now read the extract from the Hamburgh paper, a republican paper be it remembered. It is dated December 5, 1846 :—

> "We are informed from Cracow that the announcement of the annexation of Cracow with Austria, though it has created some unpleasant sensation amongst the lower classes here, who are generally prone to judge of things more by their name than the spirit, has nevertheless satisfied the higher and middle classes that the general welfare of the community will now be more promoted by the control of one Government than by that of three Governments, who have always governed the council of our chambers according to the peculiar views and interests of each of them separately. In fact, we had hitherto only the burdens of a republic without its advantages, and though we are no longer a nominal free State, the territory will no more be convulsed by foreign intrigues and agitations ; while annexed to Austria we shall enjoy liberty, safety, and protection, and those benefits of commerce so peculiar to all the subjects of that vast and liberal empire."

And the editor of the paper makes these remarks :—

"We should certainly have felt ashamed at the little sense and value of liberty so displayed by our countrymen, had they previously actually enjoyed true republican liberty; but as that liberty was merely nominal, we cannot help agreeing with their sentiments, to our regret and sorrow."

I will next, Sir, read a letter, dated the 15th of February, from a gentleman of high station in Cracow. He is a gentleman learned in the law, and was Counsel to the Senate of Cracow. His office is now gone, his occupation has ceased, and we may therefore consider him to be an impartial judge. It is a letter written in confidence to a brother collegian in this country, who placed it at my disposal, with permission to read it if I thought fit. It is, as I said before, written by a gentleman of name and title, whose statements may be relied upon:—

"Cracow, Feb. 15, 1847.

"My dear Fellow-Student—The annexation of our pseudo republic with Austria has called forth diplomatic bickerings abroad, and more especially in France and your country; but these very quarrels only betray the total ignorance that prevails even in the better-informed circles as to the real advantages accruing to us from the change. Every one acquainted with the local history of Cracow well knows that from 1795 to 1809, when Cracow belonged to Austria, the prosperity of the district had increased at such a rate as to induce the Polish nobility to have it incorporated with Warsaw in 1809, or rather to wrench it from Austria. From 1815 until the present moment, we had an annual expenditure that had gradually increased from 100,000 to 300,000 dollars for the support of our institutions, besides the maintaining of the several divisions of the allied troops in and about the republic, who professed to watch for our safety. Considering, then, that the whole population of the republic amounted only to 130,000 inhabitants, it could not be wondered at that the district was fast sinking in material wealth, and that out of 275 wholesale merchants, not more than 87 remained by official returns in 1845. And not only had our expenditure increased beyond the means of the suffering inhabitants, but even the resources of our income had greatly decreased ever since 1815, because, being considered now as a State by itself, regular duties were now paid on all the goods coming from Austria; and as Cracow had nothing to offer in return, commerce only drained the little State of the little specie it possessed instead of adding to it. Neither were the numerous Polish refugees, in abject poverty, who daily flocked to Cracow, calculated to ease us of the heavy burdens under which we were already groaning. Cracow was also the high thoroughfare for all the salt, wine, and other articles that passed through it to Poland; but the frequent political agitations had so often closed the Russian boundary towards us, that the transit trade has, ever since 1836, taken a quite different route—through Limberg and Brody. The tangible advantages resulting from the present change are —1. The saving of taxation of 300,000 dollars for the annual requisite expenditure. 2. The abolition of import duties on Austrian goods. 3. The ridding us of the foreign troops, whom we were obliged to maintain gratis. 4. The influx of a great number of Austrian mercantile families, who are daily now settling in Cracow, by which commerce and industry have, ever since the beginning of this year, received such an impulse of activity as to inspire all classes with the most sanguine hopes of a steady return to our old wealth and prosperity, which had given rise to the old Polish proverb, 'As rich as a Cracovian.' If you ask what we have lost? I answer a mere 'word,' meaning everything and nothing—

'Verbaque dicuntur dictis contraria verbis.'

"Yours, &c., C. L. OFFENBACH, Counsel.

"P.S. Nearly all the municipal landed property has been mortgaged ever since 1833, and there is not a single banker at Vienna or Berlin who does not hold some part or other of the immovable property, and more especially that situated in the suburb Chremnitz. All those debts, amounting to more than three millions of dollars, the Austrian Government has undertaken to pay, without charging our community to bear even a part of the interest due on them. What do we want more?"

Now, Sir, there is the important opinion of a gentleman of high station, written in confidence to a friend in England. Therefore, I say that something more of reliance is to be placed upon such a document, than upon the anonymous correspondent of the hon. Member for Montrose. Under these circumstances, seeing that it is not easy for this country, without condemning herself, to make out any manifest violation of the Treaty of Vienna—seeing that justice has been done to all parties—seeing that the interests of the general peace of Europe has been consulted—seeing that those objects which the British Government had in view in 1814 and 1815 have been carried out by the magnanimous concessions of the Emperor Nicholas, without any compensation whatever to him—seeing that Austria has only recovered back that which it had been so positively decided she should have in 1814—seeing that the true interests of Cracow, so far from being materially injured, have been greatly advanced, and that, so from tyranny and despotism having been established, true freedom and prosperity are likely to be the lot of Cracow— ["Hear!"] Yes, I repeat, freedom, prosperity, commerce, wealth, and security, are likely to be the lot of Cracow, instead of her being subjected to such tyranny as that which had been practised in revolutionary times—seeing all these things, I am bound to vote against the Motion. ["Hear!"] Oh, yes! I know what the hon. Gentleman (Mr. Duncombe) means by that cheer. There is nothing like the truth to be spoken here. He does not wish it to go forth to his constituents and to the country that the freedom he professes to admire, is in reality despotism of the worst description, and that such "freedom" is to be found much more on the side of republican than of monarchical governments; feeling all these things, I, for one, will not consent to brand the Emperor of Austria, or the Emperor of Russia, or the King of Prussia with the charge that they have been guilty of a manifest violation of the Treaty of Vienna. There is nothing which I have heard with deeper regret, with deeper pain, than that declaration from the noble Lord at the head of the Government, ascribing mean, paltry, and unworthy motives and feelings to the Emperors of Austria and of Russia, upon a mere suspicion. I think it is the first time that three crowned heads were charged with such unworthy, such very dishonourable motives by any Minister of England upon a ground so trifling as to amount only to a mere suspicion. Sir, for these reasons, far from condemning, I thank the mild, the clement, the paternal Sovereign of Austria. [*Laughter.*] Yes, I thank him; and I thank the mild and just King of Prussia, and I thank the Emperor of Russia. Let those who cheer ironically show me by arguments and by evidence, and not by mere declamation and invective, that they have truth and justice upon their side. I have quoted evidence—I have adduced facts—but the hon. Gentleman (Mr. Milnes) who treated the House with a two hours' speech did neither. He quoted a very novel sort of law, that if Austria had not inserted certain words in the convention, in all probability England would have inserted some other words. That certainly is a kind of law which I never heard quoted before. But I repeat I have proved my case, I have produced my evidence. It speaks for itself, and will bear inquiry. I have brought proofs which the hon. Member for Pontefract will not attempt to contradict; and in conclusion, I will observe, that so far from censuring those great Powers for acting as they have done, I am glad that a too lengthened forbearance has at length given way to the mercy of decision, and put down and smothered this den of revolutionists who promised to keep Europe in hot water, whilst they were ruining their own country, and disturbing their neighbours'; and with this feeling, Sir, I give my direct negative to these resolutions.

MR. T. S. DUNCOMBE could not possibly say, and would not enter into the question, whether or not the feelings of the noble Lord were reciprocated in that House. He could not, indeed, help thinking, after the speech they had just heard, that Her Majesty's Ministers themselves would be but too happy to withdraw their opposition to the Motion of his hon. Friend. That Motion at present was simply that that House should express its alarm and indignation at the incorporation of the free State of Cracow into the territory and dominions of Austria by a treaty and convention entered into at Vienna last year, in manifest violation of the Treaty of Vienna of 1815. The noble Lord had stated truly that on a former evening, when the Address was moved to Her Majesty's Speech, the House on that occasion was not pledged to any declaration of opinion with reference to the asserted violation of the Treaty of Vienna. They were not, said the noble Lord, and he believed they were not, committed to any such opinion. In fact, it was then stated, in answer to the hon. Member for Shrewsbury, that the Address was only an echo of the Speech, and that the House did not then pledge itself to any declaration on the subject. But, if that were so, and the House was not committed, was it not time that it should be committed to the opinion that there had been a direct violation of the treaty? He was not sure if the protectionist party generally concurred in the views expressed by the noble Lord; but he was quite satisfied that not one man in a hundred in this country would agree in any such sentiments. The House of Commons was now called upon to give a direct vote, and one, too, in conformity with the resolutions moved by the hon. Member (Mr. Hume). The noble Lord (Lord J. Russell) had the other night made, to be sure, a most eloquent speech, and had then admitted all that they could expect. He had argued most ably that there had been a manifest violation of the Treaty of Vienna; and it would have been fortunate if the noble Lord had stopped there. He had, however, gone further than that; and though he proved this country had been grossly insulted by those three Northern Powers whom the noble Lord opposite (Lord G. Bentinck) had taken under his protection, the noble Lord asked, what had the House of Commons to do with that? The noble Lord at the head of the Foreign Office had protested properly; and so, though they had been insulted, they were told to pay the money, say no more, and think themselves uncommonly well off. The noble Lord opposite met all this with a direct negative. He called the Cracovians the most unreasonable people on the face of the earth; and he considered they ought to be grateful for all the favours Austria was about to bestow on them. He denied the facts and the inference. He had also seen a gentleman who was at Cracow at the time the independence of the State was annihilated, and who remained there three days after the event. He had asked this gentleman about the illuminations; and on this point from this authority the noble Lord could receive every information — information, too, not addressed from Vienna. He had himself seen people illuminate their houses at home, rather than have their windows broken; and he believed that the inhabitants of Cracow had preferred an illumination to having their throats cut—which would have been the extent of the tender mercies of the mild and clement Emperor of Austria. He had been told—and he saw no reason to doubt it—that when the imperial proclamation was published in Cracow, it was amid the thunder of the Austrian artillery, in the presence of the tears of the women and the murmurs of the men. During three days afterwards the Austrian authorities were occupied in dividing the city into sections, and making the inhabitants take the oath of allegiance to the Austrian Government. There could be no doubt that the Emperor of Austria was detested at Cracow; and, indeed, in every part of Europe where he was known. It might perhaps amuse the House if he were to give an instance of the sort of education which the Austrian Government gave to the youth of Austria, and which would, doubtless, be now extended to the rising generation at Cracow. The document which he was about to read to the House was a kind of catechism for the use of schools, and ran as follows :—

> " Question.—How ought subjects to conduct themselves towards their Sovereign ?. Answer.—Subjects ought to behave towards their Sovereign like faithful slaves towards their master.
>
> " Question.—Why ought they to behave like slaves ? Answer.—Because the Sovereign is their master, and his power extends over their property, as over their persons.
>
> " Question.—Is it a blessing that God bestows in giving us good and Christian kings and superiors ? Answer.—Yes, it is one of the greatest blessings the Deity can bestow when he gives us good and Christian kings and superiors, such as those under whom we have the happiness to dwell. We ought to pray that God will grant a long life and a long reign to our beloved monarch."

These sentiments coincided with the tone of the noble Lord's speech ; but he (Mr. Duncombe) believed that no Austrian would allow his son to pledge himself to the opinions expressed in that catechism. The noble Lord (Lord G. Bentinck), in contrasting the constitution of the revolution with the proclamation of the Emperor of Austria, read some articles of the former; but he omitted those parts which did not happen to serve his purpose. He might be permitted to observe, also, that those harsh provisions in the constitution upon which the noble Lord laid so much stress, were directed against foreigners — Austrians, Russians, and Prussians—who would not consent to the new order of things which it was desired to establish in Poland. In reading the first article of the constitution, the noble Lord stopped short, and omitted the words which declared that the Government of Poland was answerable to the nation. He should like to know whether any of the Three Governments which had suppressed the independence of Cracow were responsible to the nations over which they ruled ? The manifesto of the Polish Government, issued on the 22nd of February, gave a different account of the results to be anticipated from the establishment of the constitution, than the noble Lord would have had the House believe from the extracts which he had read from the constitution itself. The manifesto contained the following passages :—

> " We are 20,000,000; if we rise with one accord, no power will be able to subdue our force, and we shall obtain a state of freedom hitherto unknown in the world. Let us fight for this happy state, in which every one will be able to make use of the goods of the earth according to his abilities and deserts, and no privileges will belong to any rank of society ; that state in which every Pole will find protection for himself, his wife, and children ; in which he who is deficient in mind, or crippled in body, will receive the necessary support from the rest of the community, without incurring debasement ; and in which the soil, now only conditionally occupied by the agriculturist, will become his own unconditional property ; tithes, services, and obligations of every kind, now exacted by the landowners, will be done away with ; and every one who, sword in hand, devotes himself to the national cause, will be rewarded from the national estates. Poles ! henceforth we are all alike, we are brothers, sons of one mother, our country, and one father, God in Heaven; upon Him we call for help. He blesses our arms, and gives us the victory ; but, in order that He may listen to our prayer, let us abstain from drunkenness and plunder, and let us not stain our arms by the murder of unarmed strangers, or per-

sons differing from us in faith; for we fight not against the people, but against our oppressors."

Would that not have been an improvement upon anything which Austria, Russia, and Prussia had ever done for them? Treated as the Poles had been by those Powers, they were perfectly right in guarding against their machinations by those articles of the constitution to which the noble Lord had referred. The noble Lord seemed disposed to aid the Three Powers in the attempt which they were evidently making to establish a system of oppression throughout Europe. That was an important part of the question. Two great principles were now at issue on the Continent—the principle of absolutism, and the principle of constitutional government; and every day the principle of absolutism was endeavouring to encroach upon the antagonist principle. It was perfectly true, as his hon. Friend below him had stated, that the liberties of Frankfort, Hamburgh, and Switzerland, would not be worth six months' purchase if the British House of Commons were to sanction, or even tolerate, the injustice which had been perpetrated with respect to Cracow. He was sure that the sentiments expressed by the noble Lord would not be responded to either by that House or the Government. The noble Lord who appeared to be in the secrets of the Three Powers, would, perhaps, be kind enough to inform the House why this act of paternal favour, as he deemed it, conferred upon the people of Cracow, had been effected in a manner insulting to England? No person could read the papers which had been laid upon the Table of the House with reference to this subject, without arriving at the conclusion that our Ambassadors had either been neglectful of their duty, or grossly imposed upon by the Three Sovereigns. If those three benefactors of mankind duped and deceived our Ambassadors, they had greatly aggravated their offence, and insulted the national honour of this country. Hear what the Earl of Westmorland, our Ambassador at Berlin, writes on the 23rd of February:—

> "The occupation of Cracow is declared to be entirely of a temporary nature, and is only destined to last as long as the Senate and Government of the country may require it."

Would the noble Lord, or some of his friends, have the goodness to explain that? Leaving the Court of Berlin, and going to that of St. Petersburgh, he found the Hon. J. Bloomfield writing to the Earl of Aberdeen, on the 17th of March, in the following terms:—

> "I asked Count de Nesselrode whether there was any truth in the rumours which had reached me, of the intention of the Three Allies to endeavour to introduce into the government of Cracow some change affecting its independence? His Excellency replied, that the present condition of that State was one of inconvenience to its neighbours; that no modification of its institutions had yet been proposed; but that the question might be taken into consideration."

He next turned to Vienna, and there he found Mr. Magennis writing to the Earl of Aberdeen, on the 1st of April, an account of a conversation which he had held with Prince Metternich:—

> "Prince Metternich informed me, upon my alluding to Count Ficquelmont's departure, that he had advised his Imperial Majesty to send his Excellency to Berlin, to give explanations to the Prussian Cabinet upon Polish affairs (*pour éclaircir notre position sur les affaires Polonaises*'); but his Highness made no mention of the specific points upon which explanations were to be offered; and I can in consequence only form conjectures as to what they may be. It can hardly be doubted that the future position of the republic of Cracow will form one of the most important points of discussion between the Three Protecting Powers. I have no reason to believe that there exists any idea of permanent military occupation of that city upon the part of this Cabinet. The respect which Prince Metternich has for what is consecrated by solemn treaties forbids any such supposition; and his Highness further told me, that the explanations which the Austrian Ambassador in London had given respecting their intentions, had been received by your Lordship, as he (Prince Metternich) 'wished and expected.'"

After what had occurred, Mr. Magennis' allusion to Prince Metternich's respect for what is consecrated by solemn treaties, sounded like irony. Colonel Du Platt, writing to Lord Palmerston from Warsaw, on the 23rd of July, said—

> "I have heard that Austria has been allowed to retain sole possession of Cracow for the present, in virtue of arrangements made prior to the late disturbances, and that this concession or right will not expire until the end of two years from the date of the present sole occupation."

It appeared that Colonel Du Platt knew more of what was going on than anybody else. The noble Lord said, that the suppression of Cracow was the consequence of the disturbances which had taken place in Gallicia, and the issuing of the manifest of the Constitutional Government; but it was clear from Colonel Du Platt's despatch that, at the least, the occupation of Cracow for two years by Austria had been determined upon before the occurrence of either of those events. He suspected, and time would show whether his suspicions were well-founded, that the insurrections and murders which had taken place in Gallicia, had been incited by the noble Lord's friend, the Emperor of Austria. If it were not so, how did it happen that although 2,000 persons had been murdered during the insurrection, not a single individual had been arrested on the charge of being concerned in the commission of these crimes? For his part, he believed that the Allied Sovereigns were engaged in a plot which extended beyond Cracow, and had for its object the suppression of the liberties of Europe generally. It was just two years since Her Majesty informed them from the Throne, that the Emperor of Russia had done us the honour of paying a visit to this country; and Her Majesty then said, that—

> "The journey of the Emperor of Russia, undertaken at a great sacrifice of private convenience, is a proof of the friendship of His Imperial Majesty most acceptable to my feelings."

And Her Majesty further expressed the hope that this visit might

> —"still further improve those amicable relations which have long existed between Great Britain and Russia."

Well, he hoped that for the sake of paying us a visit, His Imperial Majesty would not again put himself to the slightest "personal inconvenience," so long at least as the slavery of Cracow should remain. The noble Lord (Lord G. Bentinck) had thanked the Three Northern Powers for what they had done with reference to Cracow; but he, on the part of his constituents, thanked the hon. Member for Montrose for bringing forward this question. He also thanked the noble Lord for having so plainly stated his sentiments, in case he should ever become the Foreign Secretary of this country. It was not his object to discuss the whole of this question. He thought, however, the money part of it was the most unimportant of the whole. What he wanted was, the British House of Commons not to embarrass the Ministry, but to do that which would strengthen their hands if any struggle should ever ensue. Of this he was quite satisfied, that this atrocious infraction of a public treaty, this act of imperial spoliation, tyranny, and wrong, ought not to pass unanswered and uncondemned by the British House of Commons.

Sir R. PEEL: Sir, if the views of the hon. Gentleman who proposed these resolutions were just, I should at once admit the inference drawn in a series of consistent resolutions. If we are justified in relieving ourselves from the obligation which the Conventions of 1815 and 1831 imposed to take upon ourselves the payment of a portion of the debt contracted by Russia from subjects of Holland, the hon. Gentleman has pursued a Parliamentary and consistent course in prefacing his practical resolution by an enunciation of the motives on which that resolution is based. And if I agreed in the conclusion to which he comes in his fourth resolution, I should have no great difficulty in affirming the preceding propositions, if not in the identical terms he has made use of, at least in language corresponding with them in substance. But, Sir, I have great doubt as to the right of this country to relieve itself from the obligations contracted by the Conventions of 1815 and 1831; and if there be any question as to that right, I must pause before I constitute myself the sole judge, and decide in my own favour in respect of a pecuniary obligation.

The following are the grounds on which I differ from the hon. Gentleman, as to his practical conclusion. I find, that by the Treaty of 1815, we undertook the payment of part of the Russian debt to Holland on two grounds: first, on account of the exertions which were made by the Powers that were parties to the Treaty of Chaumont, in relieving Belgium from the power of France and annexing it to Holland; but, secondly, and more materially, as it affects the honour of England, because, on the conclusion of peace, we reserved to ourselves those valuable possessions which Holland had heretofore held, viz., the Cape of Good Hope, Demerara, Essequibo, and Berbice. The letter of Lord Castlereagh, recently published, is almost decisive on this point. Lord Castlereagh, who was cognizant of all these transactions, distinctly says—

> "It also appears to me impossible, after the principles laid down in our negotiations with Holland, and the Convention concluded in August last with the Prince of Orange, that Great Britain could retain Demerara, Essequibo, and Berbice, without incurring some such charge, either as an increased fund applicable to fortifications, or an arrangement in favour of the Powers who reconquered the Low Countries."

We not only, therefore, contracted a pecuniary obligation—we not only transferred to Russia any right we might have of pecuniary indemnity from Holland for exertions in the common cause, but we received an equivalent for the payment we had agreed to make—we reserved to ourselves as possessions, to be held by us in perpetuity, expressly in consideration of our taking upon ourselves this payment, the Cape of Good Hope, Essequibo, Demerara, and Berbice. And what further does that treaty stipulate? There is an express stipulation in the convention recognised by Act of Parliament—(and I have not yet heard any reference in the course of the debate to this circumstance)—there is an express stipulation that the pecuniary obligation shall endure, that the payment by us of half the interest of the Russo-Dutch Loan shall continue, even in the event of a war between the two countries. Now, suppose the hon. Gentleman to be correct—suppose the violation of the Treaty of Vienna by Russia to be so flagrant that we thought fit to resent it by a declaration of war with Russia, I contend that, even after that declaration of war, we are bound by express stipulation to continue the payment. [MR. HUME: There was another condition, the annexation of Belgium with Holland.] That was, no doubt, one of the inducements to us to undertake the payment; but the severance of Belgium from Holland does not relieve us from the express stipulation, that even in the event of hostilities between Russia and England, and though Holland should take part in them, we were to continue the payment of that debt. I say, therefore, that if we chose to go to war with Russia now, the obligation to pay the debt would remain: and is it possible that it can be cancelled, and cancelled by us, if we prefer remaining at peace? It is, therefore, because I doubt the right of England to relieve herself from this obligation, that I cannot concur with the hon. Gentleman. It is possible, as the noble Lord (Lord J. Russell) observed, that, considering this matter technically, a court of law might give a decision in our favour; but, considering it equitably, according to the intentions of the parties and the spirit of the convention, I deny that we are morally justified in refusing the payment we undertook to make to relieve ourselves. And if we are not, I must protest at any time, but particularly at the present, against our seeking a pecuniary advantage, and thus disentitling ourselves to hold the language we are entitled to hold. I am the more anxious that we should equitably and honourably fulfil our engagements, because I differ from the language which has been held by the Minister of France as to the effect of the recent transactions between the Three Great Powers. M. Guizot says, in enforcing his protest against the acts of the Three Powers—

> "No Power can free itself from those treaties without at the same time freeing others. France has not given the example of such an attempt on the policy of conservatism and peace. France has not forgotten what painful sacrifices were imposed on her by the Treaties of 1815. She might rejoice at an act which would authorize her, by a just reciprocity, never henceforth to consult anything but a provident estimate of her own interests."

Sir, I protest against the conduct of the Three Powers, and I protest also against the doctrines of the Minister of France. I cannot admit that either this country or France is entitled by a just reciprocity never henceforth to consult "anything but a provident estimate of her own interests." I totally deny that the misdeeds, if they be misdeeds, of other Powers parties to the Treaty of Vienna, justify us, either morally or legally, in violating that treaty; and it is because I believe that in the present state of Europe a strict and honourable adherence to treaties is the best foundation of peace, and the best hope of solving any difficulties that the present aspect of affairs may present—it is because I differ from the Minister of France as to the right of France, or England, or Sweden, or any Power a party to the Treaty of Vienna, to cancel its own obligations by following the example against which it protests—it is on these grounds I feel deeply anxious, that our own language should be unequivocal, and our own course clear, and that, if we stand alone, we shall set an honourable example in the face of Europe of a strict adherence to the obligations of treaty. It is upon these grounds—upon the ground of equity, upon the ground of high policy, upon grounds connected with the name and honour of England—that I cannot concur with the hon. Gentleman in taking the first step, or any step, towards relieving ourselves from this pecuniary obligation.

I find that there are Gentlemen who, concurring with me as to the continued obligations of the Conventions of 1815 and 1831, are still prepared, although dissenting from the hon. Gentleman's fourth resolution, to concur with him in those which precede it. Now, as I said before, I think the hon. Gentleman's resolutions are a consistent series, provided his practical conclusion is correct; but if it be not correct, the first resolution and the two which follow, stand without any support whatever. The first resolution invites us to declare, that we view the conduct of the Three Powers "with alarm and indignation." After we have made this declaration, what do hon. Gentlemen propose that we shall do? "With alarm and indignation!" I cannot say that, for a popular assembly like this, for the representative body of England, I cannot say that I think it a dignified course to place upon record a resolution of this nature without being prepared to follow it up by some practical step. The hon. Gentleman deprecates war—he states that he is not prepared for war. I consider that the noble Lord (Lord J. Russell) was justified in the distinction which he drew between the Executive Government—between the Crown (who, in the case of foreign Powers, is the organ and representative of the United Kingdom) and a popular assembly like the House of Commons. The Crown has entered its protest against the annihilation of Cracow as a free and independent State. It is the duty of the Crown, on the part of this great empire, to make representations of this nature to foreign Powers. The Crown is the legitimate channel through which the embodied opinion of this country may be expressed. But I greatly doubt the policy, if we are not prepared to take any practical step whatever, of coming to an angry and menacing resolution, even should that resolution appear to be in general harmony with the previous protest of the Executive Government. I prefer leaving the matter in the hands of the Crown—I prefer leaving it to the discretion and the responsibility of the Executive Government, to determine both on the character and tone of the protest, and the measures to be adopted with a view to give effect to it. I am, therefore, perfectly prepared to vote for the previous question.

These being my opinions upon this particular Motion—being unable to assent to the resolutions of the hon. Member for Montrose—I feel it to be my duty to avow my adherence to the opinion I expressed on the first day of the Session, that the act of the Three Powers in extinguishing the independence of Cracow—in annihilating its existence as a free State—is alike contrary to the stipulations of treaty, and to the dictates of prudence and sound policy. I make this declaration with great regret, because, I retain my opinion also that it is of the utmost importance that we should maintain friendly relations with these Three Great Powers. I, for one, viewed with the greatest satisfaction, the amicable understanding which for some years existed, until it was unfortunately interrupted by the transaction of the Spanish marriages, be-between this country and France. I thought it was of importance to the welfare of the two countries—to the cause of civilization—to the general tranquillity of the whole world. I have seen it interrupted with great pain. But while such was my opinion of the importance of friendly relations with France, I never wished to cultivate them in any manner or degree that should interfere with the maintenance of friendly relations with the other great Powers of Europe also. I never wish to see any secret intimate understanding between this country and France, which would justly cause suspicion or jealousy to the Three Great Powers with whom we had maintained for many years an alliance, honourable to those who were parties to it, most useful to the general interests of humanity, and conducive to the peace of the world. I must say, with respect to these Powers, that during the time I had official communication with them, the good understanding we maintained with Prussia, Russia, and Austria, was entirely justified by their conduct towards Great Britain. They always manifested confidence in the honourable intentions of this country, and justified a reciprocal confidence on our part in their declarations and conduct. But favourably disposed, as I am, towards those Three Powers, I cannot concur with the opinions of the noble Lord (Lord G. Bentinck), that they are not only free from blame, but actually entitled to a public acknowledgment from this country for the course they had taken with regard to Cracow. I cannot find, in the elaborate arguments of Prince Metternich, any justification of that course. I am told that the liberty given to Cracow was given by some separate and independent act to which England was not a party; that the Three Powers, agreeing among themselves, consented to give to Cracow an independence and state of freedom which Cracow had never previously enjoyed; that France and England stood by in the humble capacity of mere registers and witnesses of the magnanimous act of the Three Powers; that our participation in the Treaty of Vienna, so far as Cracow is concerned, is not only not such as to entitle us to intervention in behalf of Cracow, but that by undertaking to register the decisions of other Powers, we have admitted their absolute discretion, and have lost the right even to complain and remonstrate. But I find this stated in the preamble of the Treaty of Vienna :—

> "The Powers who signed the Treaty concluded at Paris on the 30th May, 1814, having in pursuance of the 32nd Article of that Treaty, assembled at the Congress of Vienna, for the purpose of embracing in one common transaction the various results of their negotiation for the purpose of confirming them by their reciprocal ratifications, and of uniting into a general act the particular acts cited in the present treaty."

I maintain that the separate acts form, if there be any truth in language, part of this treaty. What is the meaning of declaring that each separate treaty included in the appendix shall have precisely the same force as if it were inscribed in the general treaty, unless it have really and practically that force? Is it possible to maintain that Three Powers parties to a treaty having a bearing on the general interests of Europe—having confirmed by their separate ratifications certain stipulations and engagements incorporated in that treaty, which by express words are to have the same force with the main treaty—can at their own discretion cancel those stipulations and engagements? But is that the case with regard to the stipulations as to Cracow? Even supposing there were any force in the argument which I am combating—and the force of it I entirely deny—I find that the parties met at Vienna not only for the purpose of joining to this act, as an integral part of the arrangements of the Congress, "the treaties, conventions, declarations, regulations, and other particular acts, as cited in the present treaty," but also for the purpose of uniting in the general instrument "the regulations of superior and permanent interest." And with respect to the Grand Duchy of Warsaw, and the union of a great part of Saxony to Prussia, as well as with respect to Cracow, the parties to the Treaty of Vienna did not content themselves with annexing to the treaty the particular conventions made by individual Powers; but the Sixth Article of the general Treaty of Vienna is this—"that the town of Cracow shall be for ever a free, independent, and strictly neutral city, under the protection of Russia, Austria, and Prussia." I have a right to contend that, from the place it occupies, that is one of the regulations of superior and permanent interest which were to be united in the general act. I find it so united, together with other matters of general and permanent interest which constitute the settlement of Europe; and attached to that general treaty is the name of the Minister of England at the time. How then is it possible to maintain that any three Powers have a right to abrogate that sixth article, and incorporate Cracow with Austria, without communication with us, who were consenting parties to the treaty? On that ground there has been, it must be admitted, a violation of the general treaty. Sir, I am no partisan of Cracow. I can well conceive that Cracow may have neglected the engagements which its authorities ought to have observed. Cracow has no right to disturb the peace of the Powers which are its neighbours. If Cracow be made the focus from which insurrections affecting the peace of Austria, Prussia, and Russia, are directed, I can well conceive that the state of these countries may become so intolerable as to justify them in taking some decisive step for the purpose of preventing those disturbances. There would have been in that case a previous violation by Cracow of the engagements into which it had entered; and we, in our insular position, cannot measure the interests and necessities of those countries by mere reference to our own. It is very possible that a very small territory situated in the immediate neighbourhood of those Three great Powers, may, unless due precautions are used, be made the means of disturbing the peace of the greater States by which it is surrounded. I, therefore, am not prepared to say that there may not have been a just ground on the part of the Three Powers to remonstrate; to enter into communication with other Powers parties to the treaty; and to require that, by common consent, some new arrangement be made calculated to redress their rightful complaints. But that course was not pursued. Without any communication either with England or France, the independence of this free State was sacrificed; and upon grounds and arguments which I think are even still more dangerous, from their tendency, than the act itself of sacrificing the independence of Cracow. First, there is put forward a claim of right to deal with separate conventions, annexed to the general treaty, without reference to the Powers who confirmed them by their assent to that general Treaty. I totally deny that claim; I think it dangerous to the peace of Europe—a doctrine of pernicious tendency, calculated to shake all confidence in the endurance of that peace which these great national engagements were intended to secure. Then, again, it is stated that Cracow is a geographical atom. On that very account there ought to have been peculiar caution and forbearance. It is no more an atom than Hamburg, Frankfort, Lubeck, or Bremen. The sacrifice of the independence of a country, on account of its weakness and limited territory, is calculated to shake all confidence in the maintenance of engagements between the powerful and the weak. In this country would there not be more danger in an attack on the liberty of a pauper, than on that of a Peer? The more humble the object, the more dangerous is the violation of right. There is little ground for apprehension that the liberties of Russia will be invaded by Austria; that Bavaria or Wurtemburg will attack Prussia; but there is ground for apprehension that the independence of small States may be endangered by powerful neighbours with physical force at their command. To tell us, therefore, that Cracow is on the map of Europe a geographical atom, so far from justifying the aggression, or diminishing the fear of the ultimate consequences, only justifies and demands a more earnest protest against the extinction of its independence. Looking back at the position which this country maintained from the commencement of the revolutionary war—reviewing the sacrifices which she made—remembering the noble part she acted in that long struggle—that, "like a great sea mark standing every flaw," she alone stood erect amid the general ruin, encouraging by her advice, her subsidies, and her example, these very Powers, less fortunate than herself in their resistance to Napoleon—reviewing all these things—we might justly have expected more consideration and confidence from the Powers that have been parties to this transaction. Even if the letter of treaty did not enjoin the obligation of frank communication with England, the relations in which we have stood towards those Powers for the last thirty years, should have ensured that communication. Such was the impression of the Prussian Minister at an early period of the correspondence relating to Cracow; his opinion is distinctly recorded that the Three Powers were not entitled to infringe the independence of Cracow without communication with their allies. What caused the departure from this intention I know not; but I believe it would have been better for the interests of Europe, had the first impression prevailed, and had nothing been done or attempted with respect to Cracow, without the fullest and frankest communication with the other great Powers who were parties to the Treaty of Vienna. Sir, it is with pain that I have given utterance to those sentiments, because it is my sincere desire to encourage the maintenance of the most friendly relations with the Three Powers, of whose conduct in this instance I complain; but the desire to maintain those relations would not justify me in withholding this frank declaration of opinion, when so great a question of principle is at issue.

So much with respect to the obligation of treaty, and to the conduct pursued towards this country. Sir, apart from these considerations, I think the policy of this act is most questionable. It is a shock to the public feeling of Europe. That public feeling is an intelligent and vigilant monitor. There is no desire to interfere with the independent action of other States. There is a feeling prevalent in this country, and in almost all others, that little is gained with respect to internal improvement, or external peace and security, by intermeddling with the free action of independent States. The French Rovolution has read to Europe many useful lessons. It has taught the policy of early reformation. It has taught the policy of relinquishing the unjust exemptions and special privileges enjoyed by particular classes. It has, on the other hand, calmed the wild aspirations after impossible perfection. It has taught men to beware of the wily arts of selfish demagogues, and to distrust the magnificent promises of the sincerer votaries of freedom. Europe has learned the double lesson—the policy of timely reform, and the danger of trusting too much to splendid visions of political freedom and happiness. There does at the same time pervade the intelligent and reflecting part of the community a sincere desire to witness the safe establishment of constitutional government, and to aid the progress of social improvement under the guarantee of free institutions. That sound and rational public feeling revolts against retrocession and reaction in favour of despotism. It has freely sympathized with the generous and liberal tendencies of that authority in which perhaps such tendencies were least expected; and ardently desires that He who presides over the spiritual concerns of so many millions of mankind, may be repaid by complete success in his noble efforts to advance the temporal interests and improve the political institutions of the people subject to his secular authority. With respect to Cracow, if the power of the Three States over it had been absolute and complete—if its rights had not been placed under the implied guarantee of all the Powers, parties to the Treaty of Vienna, there might been have regret at the conduct of the Three Powers; but no right on the part of Europe of protest and remonstrance. But the Treaty of Vienna has given that right to Europe, and has converted what might otherwise have been simply a harsh exercise of authority, into a public wrong. The noble Lord said that the nationality of Poland had never entered into the provisions of the Treaty of Vienna. But it will be seen in the correspondence of Lord Castlereagh, that it is distinctly suggested to the Emperor of Russia, that if his moral duties compelled him to ameliorate the condition of his Polish subjects, there was one mode by which he could readily effect this object, namely, by restoring her rights to Poland as an independent nation; and that Lord Castlereagh distinctly announced to the Emperor of Russia, on the part of Austria and Prussia, that those Powers would acquiesce in such an arrangement. The noble Lord will find that one of the most powerful reasons for constituting the kingdom of Poland under the rule of the Emperor of Russia, was to give to Poland something of a national character. The noble Lord will find in the Treaty of Vienna, not indeed positive stipulations as to the nationality of Poland, but distinct reference at least to the national character of Polish institutions. The words of the Treaty are—

> "The Poles who are respective subjects of Russia, Austria, and Prussia, shall obtain representative and national institutions, regulated according to the degree of political consideration that each of the Governments to which they belong shall judge expedient and proper to grant them."

Whether or not the conduct of Poland in 1831 justified the non-fulfilment of this engagement, is another matter. But this was the promise held out by the Treaty of Vienna—a promise not merely that Cracow should be an independent State, but that the other Poles, subjects of Russia, Austria, and Prussia, should enjoy that degree of national and separate existence which is implied by representative assemblies and national institutions. I approve of the protest entered against the proceedings with regard to Cracow by the noble Lord the Secretary for Foreign Affairs. I think, too, that the noble Lord acted wisely in determining, considering the relation in which he stood to France, to enter that protest separately and independently; and, concurring in the protest, and in the course taken by the noble Lord, I shall feel it to be my duty to give my support to the Government.

SIR J. WALSH then moved the adjournment of the debate. [*Cries of* "No, no;" *and* "Go on."]

LORD JOHN RUSSELL: I cannot express too strongly my unwillingness to see the debate on this question again adjourned. I feel, after the broken debate which has taken place on it from Thursday last to this night, to have it again put off to Tuesday or Thursday next, would take away some of that influence which the debate is likely to have. This course would be extremely inconvenient to the House; but, on the other hand, if the debate was adjourned to this day, it would be exceedingly injurious to the carrying on the business of the State. We have before us most important questions, deeply affecting the welfare and safety of one part of the empire, which it is most desirable to proceed with. I have felt repeatedly during some past Sessions, that the greatest inconvenience has arisen from Bills of importance being deferred to the end of the Session, when the number of Members attending the House of Commons is greatly diminished; but I also feel that the course is not just towards the other House of Parliament, and that when questions of great national importance are sent up to the other House, they should be sent up at a time when a sufficient number of Peers are present to attend to the proposed legislation before them. I, therefore, wish—and I do so on public grounds—that the order days should be reserved for the business of the Government, and that the Motions on the part of Members should not occupy those days. I think that these grounds are sufficient, and that we are bound to act on them. I, therefore, hope that the debate will be continued; and I see no reason why it should be postponed. I am sure that in former times a debate like this would be carried out until the House came to a division on it; therefore, feeling this, I must object to the adjournment.

MR. SMITH O'BRIEN felt strongly

that justice could not be done to the subject without the adjournment of the debate. He had seen the hon. Member for Shrewsbury, and several other Members, who were prepared to take part in the debate; and seeing that it was of great importance that the country should be instructed on all the bearings of this question, he was prepared to advise the hon. Gentleman to persist in his Motion of adjournment.

MR. LABOUCHERE was surprised at the suggestion just made coming from a Member from Ireland, when measures were before the House vitally affecting that country. At such a time the hon. Gentleman thought fit, no doubt in the discharge of his duty, to bring the most serious charges against the Government and Legislature of this country with regard to Ireland. He should have thought that, however important might be considered the discussion of the affairs of Poland, that the objection to proceed with the measures fixed for to-morrow should not come from an Irish Member. As he was the Minister of the Crown more immediately charged with the affairs of Ireland, he felt bound to state that it was most important, considering the state of Ireland, that the House should come to a decision on the important measures which the Government had thought fit, in the discharge of its duty, to submit to it. He felt bound to express his earnest opinion, that the House should not pursue any course which might interfere with the progress of the important measures before them. He hoped the hon. Gentleman would consider that they (the Government) were constantly attacked for their apathy towards Ireland. There were but two nights in the week on which they could proceed with these measures; and he, therefore, trusted that the hon. Gentleman would not persist in throwing any obstacle in their way.

MR. SMITH O'BRIEN—[*who rose amidst cries of* "Spoke" *and* "Explain"]—said, that the right hon. Gentleman had brought charges against him which would justify him, if he were even not otherwise in order, in offering a few observations in justification; and the cheers with which those charges had been received showed that they were re-echoed by many in the House with thorough good will. But he begged to say, that he, for one, would not have supported the Motion for adjournment if it were proposed to adjourn merely to the next day. But he understood the hon. Gentleman near him to propose the adjournment of the debate to Tuesday next, which would not interfere with any of the measures alluded to by the right hon. Gentleman.

MR. MORGAN JOHN O'CONNELL rose, because, as one who differed altogether with the hon. Gentleman opposite in his attack upon Her Majesty's Government, he felt it, nevertheless, necessary to say, that he had heard with regret the language used by the right hon. Gentleman the Secretary for Ireland towards the hon. Gentleman and the Irish Members; and he said so because he considered himself an impartial judge upon the question. Perhaps the right hon. Gentleman, considering that he had been an object of attack to his hon. Friend opposite, had wished to retaliate; but he had certainly understood the hon. Member for Limerick to wish the debate adjourned to next week. There were notice days next week which would be given up for the purpose; and after the speech of the noble Lord the Member for Lynn, he thought the people of this country should have further time to think upon the question. The noble Lord had given a new and startling view of it, and it would be well that there should be time given to weigh it. He did not wish to make any remark in what might be considered a spirit of asperity; but when the right hon. Gentleman spoke of an Irish Member taking an active interest in the question before the House, he should say, not in a spirit of the slightest asperity, that there was no subject on which Irish Members had more right to feel strongly, than upon the affairs of that country which was the Ireland of the east of Europe.

MR. LABOUCHERE did not deny that the hon. Gentleman had as good a right as any other Member of the House to have an opportunity of giving expression to his opinions upon the condition of Poland; but he said merely, that Irish Members should not take a course which was so likely to retard the progress of important questions relating to Ireland.

Debate adjourned to Tuesday.

LANDED PROPERTY (IRELAND) BILL.

On the Motion of the CHANCELLOR OF THE EXCHEQUER, the report on the Landed Property (Ireland) Bill was further considered.

The EARL of LINCOLN moved that in the 4th Clause, which enabled the Commissioners to advance money for works of improvement, the words "corn mills and farm buildings" should be omitted.

SIR R. PEEL concurred in the Motion. They should teach the Irish to rely on themselves, and they would then have more corn mills and farm buildings erected than if the people looked to the Government for an advance towards that object.

The CHANCELLOR OF THE EXCHEQUER agreed to the Motion; and the words were accordingly omitted.

Report agreed to.

Bill to be read a third time.

House adjourned at One o'clock.

HOUSE OF LORDS,

Friday, March 12, 1847.

MINUTES.] PUBLIC BILLS.—2ª Consolidated Fund; Loan.
PETITIONS PRESENTED. From Cirencester, for the Repeal of the Law of Settlement.—From Bradford and other places, for a Permanent and Effective Irish Poor Law.—From Cornwall, respecting the Tidal Harbour Conservancy.—From Wrestlingworth and other places, for Repeal of the Poor Removal Act.

THE OXFORD AND BIRMINGHAM JUNCTION RAILWAY.

The EARL of RIPON presented a petition from the Chairman of the Oxford and Birmingham Junction Railway, and of the Birmingham, Wolverhampton, and Dudley Railway Companies, complaining of the conduct of the North Western (London and Birmingham) Railway Company, in collusively purchasing shares of the Oxford and Birmingham Railway Company, whereby they had obtained the means of defeating the object which Parliament had in view when it passed an Act last Session, authorizing the Great Western Company to purchase the Oxford and Birmingham line. The noble Earl stated, that as he was informed, the London and Birmingham Company had purchased a majority of the shares in the Oxford and Birmingham line, in consequence of which they had prevented the sale of that line to the Great Western Company. By this proceeding the public suffered; for the object which Parliament had in view when it sanctioned the arrangement for uniting the Oxford and Birmingham line with the Great Western was, that it should be a competing line with the London and Birmingham. It was also a part of the arrangement that the Great Western Company should reduce their rate of charges, and a Bill was at present before the other House for effecting that object. The public, therefore, would lose in two respects by the manœuvre to which the London and Birmingham Company had resorted.

LORD LYNDHURST said, that the question which the petition brought under the notice of the House was one of great importance. It did not affect two rival companies merely, but intimately concerned the public interests. The facts of the case were briefly these: Last Session a Bill was brought into the other House to enable the Great Western Company to purchase the Oxford and Birmingham Railway. This measure was advocated on the broad ground that the Oxford and Birmingham line was to be a competing line with that of the London and Birmingham Company, and that it was for the interest of the public that such competition should exist. The Bill was opposed by the London and Birmingham Company with the utmost pertinacity and vigour. It passed through Committee; but was subsequently defeated on some technical point. The Bill was then recommitted, and ultimately passed through the House of Commons. Arrived in their Lordships' House, the Bill had to pass the same ordeal which it had undergone in the Commons; all the influence of the London and Birmingham Company was brought to bear against it; but the object of the measure was so manifestly advantageous to the public, that it triumphed over the opposition to which it was exposed, was read a third time, and received the Royal Assent. The London and Birmingham Company having failed to defeat the measure openly, now resolved to effect their object collusively. They proceeded very adroitly. They purchased 38,000 out of the 50,000 shares which formed the stock of the Oxford and Birmingham Company, and distributed them amongst their dependants, whose names were regularly registered. A meeting was then called for the purpose of adding to the number of the board of directors; and, by the proceedings adopted at that meeting, the partisans of the London and Birmingham Company were placed in the direction. It was hardly necessary to state that now the Oxford and Birmingham Company in name, but the London and Birmingham Company in reality, refused to complete the bargain with the Great Western Company, and thus the public was deprived of the advantage of a competing line. It was impossible not to perceive that the London and Birmingham Company had, by collusion, defeated the intention of the Legislature, and he would recommend that a Committee should be appointed to inquire into the circumstances of the case.

Lord BROUGHAM said, that a *primâ facie* case of fraud upon Parliament had been established against the London and Birmingham Company, and measures must be adopted to put a stop to such proceedings. If, however, the transaction referred to was about to become the subject of legal investigation, as he was informed was the case, it would be advisable to delay the appointment of a Committee until after the legal tribunal should have pronounced its decision.

Lord LYNDHURST said, that he had made inquiries, and ascertained that no legal proceedings were about to be instituted in the case.

Lord WYNFORD thought inquiry was necessary.

The Duke of BUCKINGHAM expressed a doubt as to the propriety of the House interfering in the matter. He understood that the shares of the Oxford and Birmingham Railway were bought and sold openly in the market.

Lord BEAUMONT was not convinced of the necessity of inquiry. The London and Birmingham Company could not purchase the Oxford and Birmingham line without coming to Parliament for an Act, and when they did so, Parliament would have it in its power to take notice of their proceedings.

Lord LYNDHURST said, it was not necessary for the London and Birmingham Company to come to Parliament for a Bill to enable them to purchase the Oxford and Birmingham line, because they had got possession of it already; and instead of it being a competing line with their own, they would make it subordinate to it.

Lord CAMPBELL said, there was no doubt this was a matter of public importance, and their Lordships were bound to see that the objects of the former Act were not defeated by fraud and collusion. He questioned, however, whether it would be expedient for their Lordships to interfere at this stage. There was no allegation that Parliament had been imposed upon: the *gravamen* of the allegation was the manner in which an Act had been carried into execution, which was a matter within the jurisdiction of a court of law or equity rather than of the House. As an Act of Parliament must be obtained before certain parties could effect the object they were said to have in view, no mischief could arise unless their Lordships were parties to it by passing the Bill Both Houses, therefore, would have an opportunity of investigating the merits of the case.

After a few remarks from Lord BROUGHAM,

The Marquess of LANSDOWNE remarked that the case divided itself into two parts: one, a supposed infraction of the law; and the other, the bearing upon the public interests, as they might be affected by some system of contrivance, which had been alleged to have been applied in this case, and which might be equally applicable in other railway cases; and he reminded the House that there had been recently constituted, by Act of Parliament, a board, the particular duty of which was to report to the Crown and to Parliament with respect to the manner in which the public interest was affected by railway companies, and suggested that before any further steps were taken in this matter, it should be referred to that board, with an order to report specially to the House in what way the particular circumstances of the case bore upon the public interest.

After some further conversation,

Lord LYNDHURST gave notice, that on Tuesday next he would move the appointment of a Committee to inquire into the allegations of the petition. He also begged to move that the petition be printed with the Votes.

Agreed to.

POOR LAWS (IRELAND).

Lord BROUGHAM presented a petition from the inhabitants of Bradford, in Wiltshire, stating that they attributed the increase of pauperism, which was now going on in this country, to the increased price of provisions and the distressed state of trade; and they proceeded to make a most important statement, to which he (Lord Brougham) wished to call the particular attention of the House, namely, that they having heavy rates to pay for the support of their own poor, did emphatically object to being also burdened with the support of the Irish poor, while the property of Ireland was allowed to escape the payment, not only of the poor rates, but the income tax, the assessed taxes, and other taxes. The petition concluded by imploring their Lordships to pass a law throwing upon Ireland the support of its own poor; and to take care in framing such a law that provisions were introduced to prevent abuse. He (Lord Brougham) would give no opinion upon this subject further than to say, that the longer he lived to see the present extraordinary state of things, the more he was impressed with alarm at its continued existence. He feared it would soon come to this, that if we sent 10,000,000*l*. to Ireland this year, we should require to send another 10,000,000*l*. or 20,000,000*l*. next year; and the consequence would be that our poor would be going over to Ireland to get a share of the money we were pouring into that country. He had been informed that 3,100 poor persons had landed at Liverpool from Ireland in a single day last week—the largest number that had yet arrived on any one day—many of whom said that they had received 2*s*. 6*d*. each to take them over here. He would tell the people of Bradford and others to take a leaf out of the Irish book, and give their poor 2*s*. 6*d*. each to take them over to Ireland.

The EARL of DEVON remarked, that the noble and learned Lord who had just spoken, had made one statement which he felt sure, when he came to consider it coolly, he would think he ought not to have made without some good foundation in fact. The noble and learned Lord had stated, as a fact which he appeared to wish the House to take upon his assertion, that hundreds upon hundreds of poor people had been sent from Ireland, who had received 2*s*. 6*d*. a head from the landlords of Ireland. Now, he (the Earl of Devon) begged to say that he did not believe there was one word of truth in that assertion; and the noble and learned Lord would perhaps forgive him for venturing to suggest that statements of this sort, containing imputations upon a large, and he would venture to add respectable body of men, ought not to be made without some more foundation than the noble and learned Lord appeared to have in the present instance.

LORD BROUGHAM: I can only say that I firmly believe the statement; that I completely and entirely believe it; and I believe it because I have had it from most respectable persons.

The EARL of DEVON: Is the noble and learned Lord replying, or explaining?

LORD BROUGHAM: Whichever I please.

The EARL of DEVON: I call the noble and learned Lord to order. He has a right to explain, but not to reply.

LORD BROUGHAM: I shall show that the noble Lord is completely out of order.

The EARL of DEVON: I am speaking to order. I have a right to be heard; and I will take the sense of the House upon it.

LORD BROUGHAM: Well, take the sense of the House. I have no objection. But I am speaking to order; and I have a right to interrupt a person speaking to order. [*A pause.*] So it turns out I am in order so far. Have I not a right—having made a Motion that the petition lie on the Table—have I not a right, I say, to reply? But even if I had not, have I not a right to make a second Motion, that the petition be referred to a Committee? How could the noble Lord pretend to know how I was to conclude my Motion? He says I have no right to speak, except to explain. How did he know but I was about to explain? He gets up, and states that he does not believe my statement, and that there is no foundation for it; does not that give me a right to reaffirm my statement? I repeat that I do believe that statement, and that I have perfectly good authority for it. The noble Lord impeaches that statement because he chooses to disbelieve it; but I restate that I believe the statement, and that I disbelieve the counter-statement. I beg to say, also, that a more offensive mode of expressing disbelief I have never heard since I was a Member of either House of Parliament. The noble Lord says he believes not a word of the truth of a statement which I am authorized by my informants to make. Now, my belief is, that every one tittle of that statement is strictly, correctly, and literally true. I have never stated that every one of the 3,100 of the persons I referred to came over with 2*s*. 6*d*. in his pocket. I expressly qualified, and limited, and restricted my statement by saying that at least several came over. I appeal to your Lordships if those were not the words I used; understating, as I always do, my case, for my belief is that a large number of persons come over at the expense of others. My information comes from persons in Liverpool, who have examined the immigrants who came over, and who have satisfied themselves from their own examinations of the truth of the statement. I shall give my noble Friend, who is a Member of the Committee that is now sitting on Criminal Law, an opportunity of examining and sifting the statement; for I am about to call, or rather I have already called, before the Committee, two or three of my informants, most respectable individuals in Liverpool, and who on oath will repeat their information to my noble Friend.

The Earl of DESART said, if the statement of the noble and learned Lord (Lord Brougham) were true, the immigrants who came over from Ireland to England had been the most extraordinary and wonderful exception to the general rule. But he did not rise so much to speak of that, as to ask the noble and learned Lord to what end he made those continued imputations on the Irish, whether generally or individually? If he intended these imputations against individuals, he ought to give their names; for facts were not always so very closely or correctly stated as to lead the persons concerned in each particular case to conclude that they were the parties who had the misfortune to fall under the noble and learned Lord's censure. Why, he would ask, did the noble and learned Lord apply these perpetual stings, which could be only productive of irritation? When the noble and learned Lord rose up night after night to weary their Lordships with listening and replying to continual attacks of this kind, did he never reflect that it must be very hard upon Peers connected with Ireland, who could not boast of either the eloquence or the varied talents of the noble and learned Lord, to be obliged to force themselves on the House, and attempt to wield their feeble weapons of uninteresting expression, after the eloquence and sarcasms of the noble and learned Lord had delighted or amused the House? But even his varied powers could not invest a dispute of this kind with interest, and therefore he would call upon their Lordships to forget topics of recrimination, and apply their energies and attention to the great measures relating to Ireland, which would shortly come before that House.

Lord BROUGHAM: Perhaps I may be allowed, without being thought out of order, to answer the question put to me by the noble Earl. I am asked to what end I make these repeated attacks. I make them for one end, and one end only—to endeavour to awaken the Irish landlords and the Irish people at large to the absolute necessity of looking to themselves for the support of their own poor, and not of looking to England for the support of the Irish poor. And I have a second view behind that, upon the supposition, and, I will add, upon the assumption, that I shall fail in maintaining that object of making the Irish look to the sustentation of their own poor—that I wish to impress upon your Lordships and upon the Government the necessity of abstaining from the wild and visionary attempt to feed the Irish poor.

The Earl of CLARE referred to the second allegation in the petition presented by the noble and learned Lord, that property in Ireland was allowed to escape from payment of the poor rate. In answer to that, he begged to state that he that day read in a Limerick paper a report of a meeting of the board of guardians of that city, in which the necessity of imposing a poor rate of 6*s*. in the pound was submitted to the board of guardians of that union. The discussion was postponed for one week, in the hope that it might not be necessary to impose so heavy a burden on the ratepayers of the electoral division. Their Lordships, then, would know what authority to give to the statement of the petition presented by his noble and learned Friend.

Lord BROUGHAM: Nothing could be more correct than the statement of his noble Friend, and nothing was more true than that there was such a statement in the petition. He had read it to their Lordships only as the statement of the petition; he had never given it as his own. There was a poor law in Ireland—he would not say it was a well-framed one. He had never given any opinion on the necessity of giving a new poor law to that country, or of extending the English poor law to Ireland. But his statement bore on the condition of Ireland in this extraordinary emergency.

The Marquess of LANSDOWNE: I desire to say only a few words on the subject to which your Lordships' attention has been called by what has passed to-night. I do not wish to be supposed to acquiesce in the statement of my noble and learned Friend, that the Government of this country have contemplated for a moment—either now or at any other time—an absurdity so monstrous, an absurdity so mischievous, as to suppose they could undertake the sustenance of the people of Ireland at the expense of the State, independently of the exertions of the people of Ireland themselves. I will say for the present Administration, that they have at no time entertained such an idea; and I will say on behalf of the Irish people and the Irish gentry, that they do not, as I believe, prefer any such petition. What the Government of this country has done, has been in an emergency—as my noble and learned Friend termed it—an emergency unparalleled. Seeing the poorer classes of this kingdom—for Ireland is a part of this kingdom—labouring under an amount of calamity from which it was impossible to extricate themselves, they have not thought it unbecoming the moral character, as well as the political situation, of the richer part of the United Kingdom, to come to the aid of the distressed portion, to carry them, as far as they could carry them, through that emergency. More than that they have not attempted—more than that they will not attempt. They have done perhaps what may be in some respects injudicious — certainly what, in some respects, has produced effects and consequences which could not be contemplated to the extent that have occurred, under the daily increase of the great calamity which has made itself known only by degrees; but they have the satisfaction of knowing that they have, at least, by that interference which my noble and learned Friend seems to deprecate—they have, at least, saved human life. Were I to be now drawn into a consideration of this subject, I could prove to my noble and learned Friend, and to this House, that had it not been for that interference, overwhelming as this calamity is, in which we have seen the angel of death spread his wings far and wide, from north to south, and from east to west, in that country, for the thousands who, I fear, have fallen victims to the stroke, there would have been hundreds of thousands. My Lords, for myself I cannot regret any part which I may have taken as one of Her Majesty's advisers, in endeavouring—not to extinguish, not to put a stop to the calamity, for that must depend upon the counsels of the Almighty —but to mitigate, as far as human means permitted, the intensity and depth of such a misfortune, as I pray to God the world may never witness again, as I know the world has rarely witnessed the like before. But in that we have constantly kept in view the necessity of rousing the exertions of the Irish people; we have made on our parts efforts, not as principals, but as auxiliaries, requiring, in every case where assistance was given, that local exertions should be made. I do not say that those exertions have in all cases and at all times corresponded with our expectations; but in a great many cases, I will say in a multitude of cases, they have. I am confident that at this moment the feeling of that part of the United Kingdom is more awakened to a sense of the duty that they owe themselves, than it has ever been at any other period. I believe that there is a rising spirit of exertion in that country; but exertions to be made by a people laid prostrate by the magnitude of the evil with which they have to contend, cannot be adequate; and I will not believe, in that mortal struggle in which they are now engaged, a British Parliament will censure Her Majesty's Ministers for having endeavoured to save them in the struggle, and uphold them through the conflict, the issue of which, as it affects the lives and fortunes of millions of people, remains yet to be seen. I need not tell my noble and learned Friend, that in making this temporary effort, we have not overlooked the necessity to which he has pointed, of providing for the future. I need not tell my noble and learned Friend, because he has himself adverted to it, that Parliament is at this moment engaged in framing a poor law, upon which he has abstained from giving an opinion; but from which, though declining to give any opinion of his own, he may at least collect the fact, that both Her Majesty's Ministers, the other House of Parliament, and the public, are prepared for the necessity of making such a law. When we come to see that Bill sent up to this House, it will be my duty to state what its provisions are; it will be my duty to invite the co-operation of your Lordships, to invite more especially the co-operation of my noble and learned Friend himself—and that support I am sure he will give—to make that poor law as perfect as possible. But in the meantime, let it be understood, that in the exercise, I will not say of generosity, but of generosity combined with justice, to that part of the United Kingdom, we are not overlooking the necessity of imposing a burden in which all will have their full share, and will be placed under the obligation of making some of the largest sacrifices that ever landed interest, or a wealthy gentry—ceasing for the moment to be rich, but having once possessed riches—has been called upon to make, to rescue the country in which they live from the misfortune with which the hand of God has visited it. I shall say no more till that Bill comes before us; but I desire once more to have it distinctly understood that all these measures do not proceed upon the principle of taking upon ourselves the principal part in the sustentation of the people of Ireland, but upon the principle of assisting them in the situation in which they have the misfortune now to be placed. I thought it due to the Government of the country—I thought it due to the liberality of vast majorities of the other House of Parliament, as evinced in recent discussions—I thought it due to that liberality, which beyond the doors of both Houses of Parliament has marked the public sentiment and general feeling upon this subject, to say this much as to the steps taken by Government, under a conviction that this was not the moment to call upon the poor to maintain themselves, when deprived of the means of maintaining themselves, but that it was the moment to administer a loyal, a generous, a just relief to those persons in their misfortune.

Petition read and laid upon the Table.

The MARQUESS of LONDONDERRY having presented a petition from a board of guardians in the county of Down, complaining of the present mode of assessment, said it was not his intention to offer a single observation upon the subject, to which their Lordships' attention had been called, after that most eloquent speech delivered by the noble Marquess. He hoped that what they had heard would at least have the effect of inducing the noble and learned Lord, in the interval before the new Poor Law Bill came up to them, to abstain making his animadversions night after night.

THE CROWN JEWELS.

VISCOUNT STRANGFORD said, in accordance with the permission he had obtained from the courtesy of the noble Marquess, he was desirous of asking a question regarding a matter which had been for a long time the subject of negotiation between this Court and that of Hanover. He alluded to the long-protracted discussion on the subject of the jewels claimed by both parties. If this matter related exclusively to the illustrious parties interested, he need not say that a feeling of respect and propriety would lead him to abstain from all allusion to it; but, in point of fact, it had now become what might be called a State question, and, as such, it was possible that one day or other it might affect that perfect cordiality which, on every account it was so desirable to maintain between two countries so situated. Their Lordships must not think that he overrated the value and importance of this cordiality, when he reminded them that they had lately had a very remarkable proof of it, when the old English feelings and predilections of the Sovereign of Hanover induced him to endeavour, at all hazards—and he must be allowed to tell their Lordships that some of them were very great—to resist the introduction into his dominions of a system of commercial restriction highly hostile and prejudicial to the interests and industry of his native land. It was not, then, as a matter of personal right that he brought this matter forward; but under the constitution of the country in which the King of Hanover lived, he was bound to assert the rights of his Crown, and of those who might succeed him; and the estates of his kingdom were equally bound to see that he did fulfil that duty. Into the question of law respecting rights it became him (Viscount Strangford) in no way to enter; he might say that he knew very little of law beyond that very generally known maxim—that nine points of it were comprised in the word possession. Looking at this as a public, and not as a private matter, he hoped he might, without indiscretion, venture to ask the noble Marquess in what state the question was, and whether there was any objection to the production of such communications as might have taken place between the two Governments respecting the Crown jewels of the late King?

The MARQUESS of LANSDOWNE certainly should not object to give the noble Viscount the information for which he asked, and that was to answer the question, in what state the matter stood, whilst he at the same time should most decidedly object to the production of any documents upon the subject. He must premise to the information he was about to give their Lordships, a remark that this was a question in which the public of this country was in no way directly interested, any further than it must be concerned and interested in anything that affected the personal interests and personal feelings of the illlustrious Person who sat on the Throne. The spirit of the case was this. It was pretty well known to many of their Lordships, as well as to the noble Viscount himself, that for many years this discussion had now been going on. After the decease of the late King of England, it appeared that a certain doubt arose respecting the right of property in a very considerable amount of jewels which had belonged to the Crown of Hanover, which had belonged to George III., and to her late Majesty Queen Charlotte. Great doubt arose, and it became a very complicated question to determine in whom the right of possession of all those jewels rested, that right being different with respect to different descriptions of those jewels, and it being extremely difficult to separate those questions which might affect the various rights of the House of Hanover in the first instance, of his late Majesty King George III., or of her late Majesty Queen Charlotte, to dispose of those jewels. Under these circumstances, certain proceedings were instituted in the courts of justice, more particularly touching the right to jewels held under Queen Charlotte's will, whilst a diplomatic correspondence was commenced with the Hanoverian Government with reference to those supposed to belong to the Crown of Hanover. But after a certain time those illustrious parties adopted a course he thought alike creditable to themselves and becoming the particular situation in which they were placed, both as respected the public and as respected their position towards each other. They determined, instead of having recourse to courts of justice, to request three of the most eminent lawyers in this country to become arbiters in the questions to whom those jewels belonged, and to whom they should be assigned, binding themselves, not by law, because by law they could not bind themselves, but binding themselves in honour to abide by that decision. Those three eminent lawyers, for some time, investigated this question, and in the summer of 1846 they came to a determination as to the nature of a report which they were to present relating to those questions. They had determined upon the substance of such a report; but at the very moment that report was about to be put into a formal shape, the Lord Chief Justice Tindal, who was one of those commissioners, died —the others being Lord Lyndhurst and Lord Langdale. This put a stop to the case. It had been subsequently proposed by the Court of Hanover that the two remaining commissioners should choose a third, and proceed to make a decision. An objection, and a sound objection, was taken, that this would involve a reconsideration of the whole case, and of all the arguments and proceedings which had been held. It was then proposed by Her Majesty's Government, in the name of Her Majesty, to the Court of Hanover, that, it being notorious that the three commissioners had been unanimous in their opinion with respect to one description of those jewels, namely, those which had been in the possession, and were supposed to have belonged, to her late Majesty Queen Charlotte, the two commissioners being enabled to state distinctly what had been the opinion of the three, including the opinion of the eminent person deceased, this should be acted upon and adopted as a decision of the commissioners, and with this it was proposed to have a fresh inquiry with respect to the other branch which then remained to be investigated. That proposition was not agreeable to the Court of Hanover. That was the proposition, however, made by Her Majesty's Government in the name of Her Majesty, and which at this moment had been again placed under the consideration of the Court of Hanover. That their Lordships might be enabled to take a correct view of this subject, he hoped he might be permitted to read the declaration made by the two surviving commissioners, after the loss of their colleague, containing the unanimous opinion of those commissioners on the question:—

> "With respect to the jewels which Queen Charlotte found on her arrival in England—as represented by her Majesty—we are all of opinion on the evidence adduced, and have decided that there is no sufficient proof of title in her Majesty to authorize us to report that she had a right to dispose of them by will. This part of the case we considered as decided. With regard to the other class of jewels, those bequeathed by the German will of King George the Second, we have not come to any decision. The subject gave occasion for considerable discussion at our last conference; and before we had an opportunity of again meeting, the sudden death of Chief Justice Tindal, our colleague, occurred, and no further proceedings have since taken place on the commission. It is possible, after the decision respecting this second class of jewels, that there might have still remained some points, as to the identity of certain of the jewels requiring further consideration."

This was the decision of the commissioners, which was unanimous as to one particular class of jewels, namely, those bequeathed by her late Majesty Queen Charlotte. As to the second class, it had been Her Majesty's wish that a fresh communication should be made with respect to putting the matter in the course of inquiry, he meant as to those jewels of minor amount which belonged to the House of Hanover, and were bequeathed by George II. He had now put their Lordships in possession of all the facts; but he would again remind them that the subject was one in which Parliament and the public of this country had no concern. He had not thought it right to withhold the information the noble Lord desired; but having stated the facts exactly as they now stood, he considered the more proper course now would be to abstain from anything like interference in the matter on the part of Parliament, and inclined to the hope that their Lordships would not do anything which might influence arrangements for a just and equitable decision which should should receive the consent of all parties.

Lord BROUGHAM would just say, in justice to the King of Hanover, that he did not think the Court of Hanover called upon to take this judgment of the commissioners as if it were an award made, when, in fact, the award had not been made. Till an arbitration was over, no one could tell but there might be a change of opinion in the arbitrators; and the decision of the second point might in this case have influenced that upon the first. The best course would be to appoint a third person in the place of Chief Justice Tindal, and let him take the statement of the two surviving arbitrators, and form his opiniou.

The Marquess of LANSDOWNE did not at all mean to say that the King of Hanover was bound to give way, but only that the proposition was made to him; it was quite open to him in honour either to to accede to it or decline it.

Lord BROUGHAM was sure the noble Marquess so meant, that the Court of Hanover was not bound, even morally or in candour.

The LORD CHANCELLOR remarked that the noble Viscount had referred to the saying, "that possession is nine points of the law." If it was meant to insinuate that any use was likely to be made by Her Majesty of the fact of possession, that insinuation was utterly unfounded. The history of the proceeding, the gratuitous offer to refer the whole to three persons selected for the purpose, and approved by both parties, with the entire determination, of course, of abiding by their opinion—these things negatived the existence of any intention of abiding by the fact of possession. A reference had been adopted for the purpose of really ascertaining what were the rights of the parties, and of acting upon the determination arrived at by the individuals selected. The noble Viscount might be perfectly satisfied that the maxim alluded to did not apply to this case.

House adjourned.

HOUSE OF COMMONS,

Friday, March 12, 1847.

Minutes.] Public Bills.—1° Mutiny; Hosiery Manufacture; Prisons; Custody of Offenders.

Reported.—Agricultural Tenant Right; Drainage of Land.

Petitions Presented. By Mr. M. Gibson, from several places, for Alteration of the Law of Marriage.—By Mr. Brotherton, from Salford, against the Rating of Tenements Bill.—By Mr. Brownrigg and other Hon. Members, from several places, respecting Remuneration to Tax Assessors and Collectors.—By Mr. Brotherton, from Reading, for Repeal of the Window Duty.—By Mr. Stansfield, from Huddersfield, against the Government Scheme of Education.—By Mr. M. Gibson, from James Colquhoun, Esq., Agent for the Virgin Islands, in the West Indies, for Repeal of the Navigation Laws.—By Viscount Castlereagh and other Hon. Members, from several places, for Alteration of the Poor Law (Ireland).—By Sir C. Burrell, from Guardians of the Poor of the Horsham Union, for an Efficient Poor Law (Ireland).—By the O'Conor Don, from Roscommon, against the Poor Relief (Ireland) Bill.—By Sir J. Hanmer, from Kingston-upon-Hull, against allowing Railway Companies to own Steam Vessels.—By Viscount Duncannon, from Manchester, Buxton, Matlock, and Midlands Junction Railway Company, against the Railways Bill.—By Colonel Rolleston, from Basford, for Alteration of the Law of Settlement.

WAGES ON PUBLIC WORKS (IRELAND).

Mr. J. O'CONNELL desired to put a question to the right hon. Gentleman the Secretary for Ireland with respect to the present wages furnished to labourers on public works in Ireland. The right hon. Gentleman had been asked the same some nights since by the hon. Gentleman the Member for Limerick, and it had since appeared that the answer was misunderstood. The hon. Member had stated to the House that the wages to labourers in Sligo were 8*d.* a day, and had expressed an opinion that such a sum was inadequate to the maintenance of a family at a time when the prices of the necessaries of life ranged so high; and, in reply, the right hon. Gentleman had been understood to assert, that the wages were 14*d.*, and not 8*d.* per day. It was of importance that the point should be made clear, as there was no doubt that no family could live in Sligo on so small a sum as 8*d.* per day.

Mr. LABOUCHERE had distinctly stated, when the question was asked, that a system of task-work generally prevailed in the employment of labourers on public works, and that when labourers were so employed the wages were 14*d.* a day. He had further said, that when task-work was not practicable, individual labourers were paid at the rate only of 8*d.* per day; and that, in the case of destitute families, who could not provide the proper food for themselves each day with such a sum, it had been decided that more than one member of such a family should, on application, obtain employment at the same wages. Task-work was always given when practicable, as a preferable system to employing labourers in day work; and, by the proportion of wages stated, every inducement was held out to individual labourers to make the most they could by their own exertions.

FREE TRADE IN CORN.

Mr. BAILLIE wished to put a question to the noble Lord relative to the state of the corn markets. The noble Lord was probably aware that the Ministry of Belgium had prohibited for some time past the exportation of corn from that country; that both French and Belgian agents had been in England making very large purchases of corn; and, that it was anticipated, if these purchases continued to be made, prices would be very much enhanced, and scarcity would ensue. What he wished to know from the noble Lord was, would Her Majesty's Government feel themselves called upon in self-defence to prohibit the exportation of corn from our ports?

Lord J. RUSSELL: The hon. Gentleman has asked me a question on a very important subject without giving me any notice that he had such an intention. I will, however, at once tell him what is the general intention of the Government on this subject. We are perfectly aware that there is a great demand for corn in France and Belgium, and that prices are rising and are likely to continue to rise in those countries; but we are of opinion, generally speaking, that to prohibit the exportation of corn is a direct mode of preventing corn being brought into this country. We think that, in the case of an importing merchant, if he have a security that he can import his corn here, either for consumption here, or, if he should think proper, to take it afterwards to another market, he will have every inducement to bring it here. We consider, on the other hand, that if he is told if it once comes here it cannot be taken away again, we shall drive him to avoid a market where his corn would be thus locked up, and import it to some other market.

ASSISTANCE TO EMIGRANTS.

Mr. VESEY wished to direct the attention of Government to the fact, that there were large bodies of people in Ireland making preparations on their own account to emigrate to our North American colonies. In the county of Kilkenny, not far from the borders of Queen's county, there were not fewer than 400 families from one district about to leave the country to found a colony in North America. Now, it was to be feared that many of these parties would only be able to get together sufficient to carry them across the Atlantic, and the consequence might be that they would be landed on the quay at Quebec without the means of procuring bread, or the means to pass to the upper parts of Canada. The question he had to ask of the Under Secretary for the Colonies was, whether Government had made preparations, or had it in contemplation, to assist these poor persons, in case they should land in Quebec under destitute circumstances?

Mr. HAWES could give no other answer to the hon. Gentleman than this, that there was a small fund, and but a very small fund, at the disposal of the Emigration Committee in Quebec, from which, on emigrants arriving there who were really destitute or sick, a small provision was made for their relief. If sick, the emigrant had an hospital provided for him; and assistance to a small extent was usually in cases of destitution given to enable such poor persons to proceed to their destination. The fund was raised by a small tax imposed on emigrants to that colony, aided by a grant from that House; but it was so small that it required the utmost care and frugality in its distribution. He was not aware that there was any intention to provide a fund that would convey destitute emigrants from the port at which they disembarked to their places of destination. Parties who had been instrumental in sending emigrants from this country to the North American provinces, had been induced not only to provide passage-money, but also a small sum to carry them onwards when they reached the colony; and he hoped and trusted that, in the present case, as well as in all others, the emigrants would be properly provided for, when found in destitute circumstances. Whilst on this subject he might state, that last year the number of emigrants to the North American colonies amounted to 125,000. The system in operation had been found to work well; they heard no complaints; and he hoped that the vote which the noble Lord would propose would be sufficient to provide for those who were found in sick and destitute circumstances.

LIMITATION OF RELIEF (IRELAND)—VAGRANCY.

Mr. GREGORY now wished to ask whether the noble Lord intended to introduce any provisions into the Poor Law Bill which would limit relief to non-occupiers of land; because, if the noble Lord replied in the affirmative, a Motion which he intended to make would fall to the ground; but if the noble Lord replied in the negative, he must then alter the Motion. Another question he wished to ask was, how soon might they expect to have an intimation on a Bill from Government on the subject of vagrancy?

LORD J. RUSSELL, in respect to the first question, would, rather than give an answer now, prefer that the hon. Gentleman should bring forward a clause in the shape in which he wished his proposition to be put, in order that the opinions of Gentlemen might be heard regarding it; and then he would state what he thought ought to be the amount of land possessed in order to place a person beyond the description of destitute. He was afraid that if it were to be laid down that relief was not to be given to any person holding land ,it would exclude from relief many who had only a small patch of land attached to their cabins, and he did not consider that such persons ought to be excluded. As to the other question of the hon. Gentleman, he might state that a Bill on the subject of vagrancy would be introduced, but not till the present Bill had passed the House.

PAY FOR MINT PROSECUTIONS.

MR. HUME wished to ask the right hon. Gentleman the Master of the Mint a question of some importance connected with his department. A statement had appeared in the newspapers, that at a recent trial certain policemen were examined, when it came out that it had been the rule in the department of the Mint to give witnesses connected with the police double payment, or, at least, extra money, when they gave evidence in cases of prosecution for passing base money. This was, if true, a most objectionable course; and he wished to ask the right hon. Gentleman whether the statement were true, and if so, whether any steps had been taken to put an end to it?

MR. SHEIL, in consequence of his attention having been directed to the circumstance on Friday last, instituted an inquiry as to whether it was the fact that additional payment was given to the police in cases of Mint prosecutions, when he found that such was the case. He understood that the practice had existed for a considerable time, and at one period to a much greater extent than at present. He thought the practice liable to extreme abuse, and had accordingly given directions, as far as lay in his power, to put a stop to it.

POOR RELIEF (IRELAND) BILL.

On the Motion that the Speaker leave the Chair for the House to go into Committee on the Poor Relief (Ireland) Bill,

LORD J. RUSSELL said: Before you leave the chair, Sir, I wish to state generally to the House what have been the latest proceedings of the Government with respect to the calamitous state of affairs now existing in Ireland; and at the same time to call their attention to one or two of the principal provisions of the Bill before the House. Sir, in the midst of the present calamity in Ireland, I think it is due to the House to acquaint them with the steps that have been taken from time to time, and the measures which may at a future period be taken, and which may have a serious influence upon the destinies both of that country and of England. The House is acquainted with the steps which we had adopted before the commencement of the Session, and likewise with the refusals which we have made to entertain some other measures of large import to which our attention has been repeatedly called. Thus, while we agreed that with respect to the supply of provisions there should be an amount of about 10,000 tons always in store in various depôts, in those parts of Ireland where there were no regular markets established, we declined to undertake the feeding of the people of Ireland by the importation of provisions from abroad. Likewise, Sir, while we consented that a sum of not more than 50,000*l.* should be laid out for the purchase of seed—which it was believed might be more easily procured by Government than by individuals—we steadily refused to undertake the cultivation or the sowing of the land of Ireland. Thus, also, while we have augmented to a very small degree the sum which is applicable for the removal of emigrants and of destitute persons from Quebec to Montreal, and to other places where their labour may be more in demand, we have refused to become responsible for conducting or promoting emigration in general from this country. In making these refusals, we have been of opinion, in the first place, that the scarcity of corn and of provisions of all kinds would be greater if that trade was interfered with by the Government, than it would be if we had no interference with the trade; and day by day confirms me in that impression.

We were of opinion, also, that the cultivation of the land would have been impeded, rather than promoted, by any undertaking on the part of the Government to cultivate it, and that the cultivation would be best left to those who ordinarily discharged that duty. We are of opinion, likewise, that the number of emigrants from Ireland to the United States, and to the colonies, will be more considerable if the Government does not propose any large advances for that purpose, and leaves the emigrants either to their own means, or to those that may be furnished them by their friends or landlords, than if we were to propose a large grant for the purpose of promoting emigration. On these topics, I will do no more than state what has been our opinion, and what has been our course. With regard to another question, it has been thought that we have unduly interfered with the employment of the people by devoting large sums in the shape of advances from the Treasury, in order to furnish labour for the destitute people of Ireland. It is undoubtedly true, Sir, that those advances have been very great, and I will now state what has been the amount, up to the end of February, of the sums expended on the relief works. The sums expended in the months of September and October, amounted to 54,878*l.*; in the month of November, 298,799*l.*; in the month of December, 545,054*l.*; in the month of January, 736,125*l.*; and during the month of February, it is stated to be 944,141*l.* This expenditure is entirely independent of the expenses incurred through the commissariat and public departments for the same general object. The numbers employed during the last month have very much increased. In the week ending the 6th of February, there were 615,055 persons employed; in the week ending on the 13th February, there were 605,715 persons employed; in the week ending the 20th February, there were 668,749 persons employed; and in the week ending the 27th February, there were 708,228 persons employed. Now, on looking back to these proceedings, I am persuaded, that unless a very large outlay had been made from the national Treasury, many of those persons who have been thus employed, and who have received wages, would have died from utter want of the means of procuring food. I think this very large outlay was to be justified, and is to be justified, by the very great urgency of the case; and the dread of allowing so large a number of persons to die from want of food in Ireland, was a sufficient reason why the means we employed should have been enormously increased. But while, during the months of November, December, January, and February, and one half of March, we have continued these works on so great a scale, we have never been insensible to the evils that are attendant on those works, which evils have spread just in proportion as the works have increased, and are now considerably aggravated compared with what they were at the beginning. And here let me say, that the immense increase of the number of persons employed—a number which has increased from 30,000 or 40,000 to 708,000—has made it impossible for the Board of Works, however that board may exert itself, to keep that good order and regularity which ought to be observed. Let me say, at the same time, that the degree to which good order and regularity has been observed, is a matter not only of praise, but, as I think, of astonishment. This has been done, in the first place, by the exertions of the officers of the Board of Works; and, in the next place, by the exertions of the military officers who are placed on the commissariat of the Board of Works; and, lastly, by the Executive Government of Ireland, and the military and constabulary who are at the disposal of the Government. And this order and regularity has been kept, notwithstanding the great increase of the number of people employed; though it must be apparent that it is impossible to say, with so great a number of persons at labour, whether the due quantity of work has been performed, seeing there could not be employed a sufficient number of officers to overlook them all. Yet there has not been any general confusion; there has not been any confusion at the works; the regular payments have gone on from week to week, without any instance of the money for pay being intercepted, and without instances of dishonesty or peculation on the part of the clerks; without, indeed, any failure in the payment of the money to those labouring at those works. I make this as a general statement, not denying that there may be some exceptions, but stating it, on the whole, as a general result highly honourable to the parties engaged in all the departments, who, without previous preparation, and without experience of any kind, had thrown upon them the responsibility of the management of this great machinery.

But whilst such regulations are in progress upon the public works, another evil arises: the men employed upon those works are becoming weaker from the want of due sustenance, and physically unable to perform that amount of task-work by which they might be enabled to procure a sufficient sum of money to obtain the necessary quantity of food; and the overseers and Government officers, very naturally, are unwilling to oblige these men to perform the full amount of task-work, or to pay them a sum which is insufficient to enable them to earn their daily means of sustenance, and this reduces the relative quantity of task-work, so that the amount of task-work actually performed has not been in proportion to the value paid for the work, but payment has been made rather according to the quantity of work which the individual could perform. This leads to every kind of irregularity; a great many who are capable of working object to the performance of their task, though perfectly fair; and, with regard to many others, they take advantage of this laxity of the task-work to come at late hours—10 or 11 o'clock in the day—and require, nevertheless, that they should be paid as if they had worked for the regular number of hours. But a further evil, and which is peculiarly felt at this particular season, is thus described by the Board of Works, in their report for the last month:—

> "Every exertion must be made to encourage private employment, but the people evince no readiness, at present, to avail themselves of it; nor will it be wholly practicable at once to convince them that the works which remain in progress are no longer to be considered merely as relief works.
>
> "Employment from the farmer is, at present, offered in vain, because the men employed on the road works, on account of their numbers, can rarely be sufficiently attended to, and are consequently suffered to idle; as well as because where task-work has been introduced merely as a means of affording higher wages, in the first instance, the ordinary prices of manual work have been gradually increased to enable the increasing numbers of unhappy, ill-fed, or unwilling labourers still to earn from 1*s.* to 1*s.* 6*d.* per day."

In consequence of these representations, which are corroborated by a very great number of reports from individual officers employed in various parts of the country, and in various departments of the Commissariat and the Board of Works, the Government came to the determination that it was necessary to reduce as far as possible at this time of the year, when ploughing and sowing should take place—at this time of the year, I say, the Government determined to reduce, as far as possible, the number of persons employed on the public works. Upon these grounds, my right hon. Friend the Secretary of State for the Home Department wrote to the Lord Lieutenant of Ireland, desiring that, as far as possible, the number of works should be diminished, and that new presentments should not be made, unless upon very special grounds, to be reported to the Secretary of State. The Treasury has likewise directed that notice should be immediately given—

> "That from Saturday, the 20th of March, the number of persons employed on the relief works will be reduced by not less than 20 per cent, and that the remainder will be further diminished by successive deductions in the proportions and at the times to be hereafter fixed by this board, until the new system of relief, under the 10th of Victoria, cap. 7, shall have been brought into full operation. The necessary steps for carrying this arrangement into effect will be taken by the Board of Works in the following manner: Persons holding 10 acres of land and upwards are to be discharged from the 20th of March, even if they should exceed the proportion of 20 per cent. If the number of such persons should not amount to the proportion above stated, those persons are to be discharged who hold the largest amount of land (although less than 10 acres), or of other property of any description. If, however, rations of soup or provisions of other kinds can be supplied either by relief committees constituted under the 10th of Victoria, cap. 7, or from other sources, for all destitute persons in any district, the relief works in that district are to be entirely suspended; and if rations can, for the present, be supplied only to a limited number, a proportionate reduction is to be made of the persons employed upon the works."

And, as various means have been adopted for putting the Act of this Session into operation, it is hoped that, before long, all the arrangements will be completed, and the number of relief works will be very considerably reduced. We trust to these measures for enabling the farmers to procure the number of labourers necessary for the cultivation of the soil; and as the labourers, in certain cases, will not have the resources of the public works to go to, they will be more ready to accept the terms of the farmers than they would be whilst the relief works are in operation, affording nearly the same rate of pay for a smaller quantity of labour. Sir, I need hardly take any notice of other measures now in operation to remedy a state of distress existing to so great an extent, and of a kind so totally unexampled and so appalling in its magnitude; those other measures, in regard to drainage, and those mentioned in Mr. Labouchere's letter, and the improvement of the fisheries and of the ports and harbours, are deserving of great attention, but it is unnecessary for me to dilate upon them; and I do not do so at this moment. What I have stated will enable the House, having before it the Treasury minute and other official papers in a voluminous shape, to know the course we are pursuing. I now turn, Sir, to what is the proper business of this evening, and on which I think it necessary to say a few words, in consequence of a representation which has been made to me in a memorandum signed by no less than 64 Peers of Ireland, and 43 Members of the House of Commons. I have not, at any time that I can remember, made a general explanation of the object and enactments of this Bill, as now amended; the importance of the document I have alluded to is such that I think it would be respectful to the persons who have signed it to take some notice, before I ask the House to go into Committee upon the Bill, of the representations made by them. Sir, the 64 Peers and 43 Members of the House of Commons form a list of persons who, having resided in both countries, well know the state both of this country and of Ireland; but, Sir, when I read their representations, I confess I could not agree in them, nor in the doctrines they lay down, which would preclude this House from entering at all into the question of out-door relief to the able-bodied. Their third resolution is in the following words:—

> "That the principle of giving out-door relief to the able-bodied labourer of Ireland, has been condemned by the various Parliamentary Committees and Commissions, as well as by the public officers appointed to consider the subject; and that the experience of the last twelve months, by which it has been shown how relief, even though accompanied with work, has interfered with ordinary agricultural labour, and endangered the future production of food to the people, demonstrates conclusively how much more fatally a system of gratuitous out-door relief to the able-bodied labourer will produce and perpetuate the same lamentable consequences."

Now, with regard to the first part of this statement, I have nothing to say, as I do not wish to enter into any examination of the grounds of the reports made by the Committees and Commissions referred to; but with regard to the other part, I have some general observations to make. Sir, I do not think that the relief which has been given during the last twelve months accompanied with labour, does at all "conclusively" prove "how much more fatally a system of gratuitous out-door relief to the able-bodied labourer will produce and perpetuate" any "lamentable consequences." I think there are reasons enough why the system which we were compelled to carry into effect should be liable to abuses, which were necessarily attendant upon what we undertook to do, and does not at all belong to a plan of a poor relief law in Ireland for the people of Ireland. In fact, these "lamentable consequences" have come from a too great readiness to present for advances from the Treasury for public works, and a too great readiness to recommend persons to be put upon those public works. We were for a long time averse from this system of advances; but being pressed by the immediate wants and by the immediate outcries of the distressed and famishing people, we did not consider that we should be justified in refusing, upon the guarantee of the ratepayers in Ireland, to make some advances from the public Treasury, though such advances, for many reasons, were liable to great abuses. Amongst other abuses, for example, I have read within the last few days of relief committees putting on the public relief works persons many of whom were well able to maintain themselves, having many acres of land, and that persons have offered themselves and been so employed to a considerable extent who call themselves farmers. But if we provide for the support of the destitute by the imposition of a rate, a greater vigilance will be exercised by the ratepayers, who will find their interest in it, and they will adopt means to prevent those impositions and those who are well able to provide for themselves from being placed upon the list of the destitute; and that list will be more narrowly watched, and confined to those who are the proper objects of relief. For these reasons, I think that the experience of the last twelve months affords anything but a conclusive argument against this plan. In the next place, the resolution states that the experience of the last twelve months has shown

> —"how much more fatally a system of gratuitous out-door relief to the able-bodied labourer will produce and perpetuate the same lamentable consequences."

Why, nothing in this plan, or this Bill, makes it at all necessary, or, I will say, probable, that out-door relief given to the able-bodied will be gratuitous out-door relief. I propose that the board of guardians and the Poor Law Commissioners should have the power of requiring from persons applying for relief, such work, or putting them upon such employment, as may be adapted to their situation, and as the Poor Law Commissioners and boards of guardians may think fit. We all know it is the case in England, when the workhouse is full, and able-bodied labourers are to be supported, they are supplied with some work, which is given as a test of their destitution; and that work, so given, has the effect of limiting the number coming for relief. We do not intend that there should be any other system in Ireland. We intend that the Poor Law Commissioners and the guardians should make any rules that they think fit, to enforce the work of the able-bodied when out-door relief is given to them. But there is a further question to which I must refer. When I had the honour of conferring with the deputation from the Peers and Gentlemen who favoured me with their resolutions, I said to them—

> "It is quite true that it is very difficult to prevent the granting of out-door relief in Ireland being attended with abuses; it is very true that there did exist very great abuses in England, and it may be true that the system may not be at present without abuse. But what I say to you is this: we see a vast number of people in the greatest state of destitution in Ireland; and I have been told by gentlemen connected with Ireland, that the state of destitution in Ireland, though it has been greatly aggravated by the failure of the potato crop, is not unusual or accidental in Ireland; and when we see this destitution, if it is not to be provided for by out-door relief when the workhouse is full, what objection would you offer to my plan in the House of Commons, or what other plan would you propose?"

And to this question, which really seemed not to have been expected, I got an answer from one member of the deputation, who said, that private charity in Ireland was so extensive, that it was not likely that any person would be allowed to starve. Another member of the deputation immediately observed, that he did not think that with the great distress throughout the country, and the great calls which had been made upon the resources of individuals, private charity could be hereafter exhibited to the same extent. I confess I fully agree with the last member of the deputation. I admit that there has been an immense extent of private charity in Ireland; that that charity has been generally afforded by the poor to the very poor; that there has been charity on the part of the small farmer towards the labourer, and of the farmer and the resident gentry to the mendicants and those who asked for alms. Until the passing of the Poor Law Act for Ireland, which I introduced, and now propose to extend, I do not believe that any burden fell, on this account, upon the large landed proprietors who did not choose to contribute to private charity, or upon the great absentee proprietors, who did not see the misery reigning about their estates, and who, if they chose to avoid altogether contributing to private charitable funds, got rid of every payment of this kind. Then, if that is the case, I ask the question again, seeing that the totally destitute in Ireland, who cannot be supported in the workhouse —who had been supported by the voluntary charity of the classes resident in Ireland, and chiefly by their own class, can no longer be supported from that source; that the farmers, owing to the failure of their potatoes, want the means of supporting the mendicants in the manner they have done—I ask, when the cultivation of the potato shall be greatly diminished, so as to alter the social state of the country altogether, to whom are the destitute persons to look for support? I must say, that the deputation at once rejected the notion that they could come again to the Imperial Exchequer, for either loans, advances, or grants; not one of them expected that that would be the case. But I must say, that the economical question still recurs: who is to explain, or how is it to be explained, in what manner these destitute persons are to be sustained? I know no way in which it can be done, unless we resort to the measure now before the House; guarded with all the cautions and by all the limitations which we can devise. If a person is starving, and he has recourse to the workhouse for relief, he will be admitted there if there be room; if not, the workhouse being full, he will receive relief out of doors. That is the proposition we make to the House. And, Sir, in making this proposition to the House, I can place it on very fair grounds. I can place it, in the first place, on the ground that after what I have stated no man can accuse this House of Parliament, or indeed the other House of Parliament, or Parliament collectively, of being niggardly to Ireland in its extremity. No person can say that in this time of need, considering the contributions that have been made—whether collected in the taxes compulsorily levied from the people of Great Britain, or whether collected in gifts voluntarily offered by them—whether we consider the millions we have proposed to vote, or the hundreds of thousands which are now being collected —whether I take the one sum or the other—no person, Sir, can accuse the people of Great Britain of want of generosity or want of liberality in the present day of suffering. I am justified in saying this, perhaps, under present circumstances, when under different circumstances I would hardly refer to it. I should scarcely say it, if it were not that such repeated charges are made—not against the Government, for the Government is a fair target for any such attack — but when such repeated charges are made against the Parliament of Great Britain, and against the people of Great Britain, who, I must say, deserve no such accusation. But, Sir, in the next place, I say that what I propose to you as a permanent law for the relief of the poor in Ireland, is a permanent law which we in England have thought consistent with the wealth of this country—which we have thought consistent with the security of this country—which we have thought consistent with the fair regard that is due to property in this country. We have for a long time past had a poor law which does provide, not only for the sick, but for the infirm and the aged; and provides also that the able-bodied should be set at work, and thereby, on being so set at work, shall receive relief. And, Sir, let it not be said that that poor law, and the poor rates that were levied under it, were abuses continually complained of in this country, because a reform was made of those abuses. Many persons in this country think, that reform has been very searching and very stern; and yet at present, in the ten years since that reform was brought about, England and Wales have spent no less a sum than 49,000,000*l.* sterling in the relief and maintenance of their poor; and, as I believe, not only with a view to humanity, not only with a view to religious and moral duty, but with a view to pure economy, and a consideration of the welfare and security of the country. Sir, it has been good economy for the people of this country to lay out 50,000,000*l.* sterling for such a purpose. I have here various extracts from different reports which have been made to this House, showing the numbers of persons who have received relief under the Poor Law Amendment Act in England at various times, since the enactment of that statute; and I find that in the year 1840, the total number of the paupers relieved in England and Wales was 1,199,000 and odd hundreds; in 1841 it was 1,299,000 and odd hundreds, showing the number was increasing by about 100,000. In 1842, the number relieved was 1,470,000 and odd hundreds, making above nine per cent of the population of this country receiving relief under the poor law. Now, the mode in which these numbers of persons receiving relief were increased, and the reasons why they were increased, was this, that during these years, which were years in which we had deficient harvests, there were a number of people in want of employment and in want of food. Immediately that that took place, relief and employment were provided by the poor-law unions and the parishes; and thus it happened that the rates for the relief and maintenance of the poor were enormously increased throughout England and Wales. I have here a statement which I have taken from a speech of the hon. Member for Bolton (Dr. Bowring), made in this House, I think, in the year 1842 or 1843; and he states, with regard to the mortality of the population of England, that in the year 1839, the number of those who died in Leicestershire, was 1 in every 48; in the year 1840, it was 1 in every 39 persons. In Nottinghamshire, in 1839, the proportion was 1 in 42; in 1840, 1 in 35. In Lancashire, in 1839, the proportion was 1 in 35; in 1840, 1 in 31; but the poor rates, which, in the years 1835, 1836, 1837, had been 11,900*l.*, rose in 1842 to 16,740*l.*, being about 25 per cent, or 5*s.* in the pound. Now, that is the mode in which, in England, the law meets the distress of this country, in a year in which there was distress in this country —I will not say resembling that which now exists in Ireland, but distress of a more than ordinary pressure, owing to an unfavourable season and a considerable want of food and want of employment. Now, the plan of Her Majesty's Government, and what I propose to the House, is, that Ireland, with regard to her future permanent condition, should, when from good harvests and tolerable employment her people are less in want, be led to save the means for supplying their wants in cases of deficient harvests, so that the same mode of relief which is given in England to the destitute, should also be given in Ireland. In saying this, however, I do not propose that exactly the same means should be applied in Ireland as in this country. I do not propose that some parts of the Poor Law of England, which I think were connected with the abuses which have arisen under the old law, should be introduced into Ireland. I also think that in introducing this law into Ireland, we have a great advantage in having workhouses already established and in operation in that country. The abuses which have arisen under the old law in England, chiefly took place when the workhouse test was abandoned. That was about 1796, I think. But we took care when we introduced the present Poor Law into Ireland to establish the workhouse test in the first instance; and therefore the guardians of the poor will, in that country, under the measure we are now proposing, always have that test, and always have it in their power to say to the pauper who applies for relief, "If you are a destitute person, come to the workhouse, and you shall be provided for there." I do not think myself, that when the infirm and the aged, and those who are unable to work, are removed from the workhouses, those workhouses will be full, except in times of extraordinary distress; and I think that in ordinary times those workhouses will operate as an effectual check against imposture and the demands of idleness. But there is another part of the question which I do not propose to touch in any detail, but which I think it desirable briefly to advert to. That part of the question, however, forms with me, I must say, a very cogent reason for pressing this measure on the House. I quite admit that the present calamity in Ireland is so great that no attempt on the part of a poor-law board would at the commencent of the year 1846 have been able to meet the emergency we had to grapple with. I do not believe it would have been possible to meet the evil by that means. It is most unfortunate for Ireland, that by, as it were, a general connivance of landlords, tenants, and labourers, there has grown up its numerous and miserable cottier population. Add to that, the immense army of mendicants which infests the country, as portrayed in the reports of the Poor Law Commissioners; and I do not think it can be conceived that such a population, always existing on the borders of famine, were in such a state as could have been met and provided for, under this calamity, by the proprietors and gentry of Ireland with adequate measures of relief in the present state of the law in that country. But I must say, that though great numbers of the resident gentry have done their utmost, have exerted their best energies, and been contented in some instances to forego their usual mode of living, and even many expenses necessary for the education of their families, in order to be able to give more in the relief of distress; yet, I do not think that, taken as a whole—as a body—residents and absentees, who own the two parts of that 13,000,000*l.* sterling of assessable rental which forms the annual value of the land in Ireland—the exertions of property in Ireland for the relief of distress have been what they ought to have been. I collect this from the frequent statements that have been made, that while some of the resident gentry in a distressed district have been munificently giving to the relief fund their 100*l.* or 300*l.*, as their circumstances allowed, many of the non-residents, to whom applications have been sent, have not contributed at all. I think there are persons among the non-resident gentry of Ireland who are ready to go further than a mere trifling contribution; who not only give largely, but who practise abstinence from those things which may be considered as luxuries, for the purpose of aiding their suffering countrymen. Sir, I will not go further into this part of the subject. I felt bound to state what I have stated, for I felt it pressing on my mind, and I think what I have stated is a reason why we should not leave the relief of the destitute poor in Ireland to hazard in the time of calamity. I am told indeed that, with regard to some parts of Ireland, the population is so great, and the rental so inadequate to their subsistence, that property must be altogether broken down under the obligations which this law will impose upon it. Sir, I do not believe that that will be the case. I believe in the capacity of the soil of Ireland. I believe in the willingness to labour of the people of Ireland. I believe that soil may be made far more productive than it is at present; and I believe that the general produce of the industry of Ireland may be made much greater than it is now. I confess that, as matters now stand, payments to the destitute poor in that country, if made in a proper proportion, must take a large proportion of the rental which is obtained from that country; but if we cannot say that such is at present the case, I think we may at least attempt to give some further proportion of the rental than of late years has been allotted to the relief and maintenance of the destitute poor. In 1841 the expenditure in England and Wales for the relief of the poor was 5,039,703*l.*, being at the rate of 1*s.* 7¼*d.*

in the pound on the annual value of the rateable property of the country. In that year, in Ireland, the expenditure for the relief of the poor was 298,813*l.* on rateable property to the amount of 13,203,234*l.* in annual value, being at the rate of 5¾*d.* only on the annual value. That calculation is made on the annual value of 113 unions out of the 130, being the majority of the whole number of unions in Ireland. But let not anybody suppose that I am charging any violation or evasion of the law upon the proprietors of land in Ireland with respect to these small payments. They only acted, in this matter, in conformity with the existing law; and if they made further payments for the relief of the destitute than this small per centage on their property, the Poor Law Commissioners would have told them that those sums could not be received nor expended by law. I make no charge; but I quote the fact in order to show that there does remain still, in Ireland, an amount of property which ought to be made available for the relief of the destitute poor, and which we may fairly call upon to submit to an assessment for that purpose. Sir, I think that this is not the moment when the landlords of Ireland can justly urge that they are too much taxed. Sir, with regard to a poor-law union in Ireland which has lately attracted great public attention in this country (I mean the union of Skibbereen), an union which has furnished details of deaths that have shocked every one, and where there are great numbers of persons living in a miserably destitute condition, and without any likelihood of obtaining the means of subsistence, I wish to mention that a gentleman who lately called upon me, and whom I have every reason to trust, gave me a letter from a person resident in that union, stating, that though the property within the union is rated to the poor as of the value of 8,000*l.* a year only, its actual value is no less than 130,000*l.* a year, and that, until September last, no rate had been made exceeding 6*d.* in the pound; but that, in November, a rate was made of 9*d.* in the pound; but that rate has never been levied. Now, from the correspondence (which has been laid on the Table of the House) of the Poor Law Commissioners, with various unions in Ireland, we have evidence that even with the present law there has not been in Ireland either that due assessment or that due levying of the poor rates that there ought to have been; and I say these are reasons for the enactment of the Bill I propose to the House. I am aware that in proposing that measure I am proposing a measure differing in one important respect from that which is now the law in Scotland. The law for the poor which was enacted in that country shortly after the Revolution in 1688, did make a provision which would have been applicable for the relief of the able-bodied poor; but, under the interpretations of the courts of justice, it has been confined practically to the relief of the infirm and the sick poor only. But there has not been such a state of things with respect to the relief of the poor, either in past years or even in the present year, as would induce me to wish to alter or amend the existing Act for the relief of the poor, which was introduced by the right hon. Baronet the Member for Dorchester two years ago; for I believe that that Act is conformable to the habits of the Scottish people, and I believe there is that union of all classes in Scotland as to induce the people in periods of distress to give the utmost assistance in their power to each other. To such an extent is that feeling carried, that I know at the present moment many proprietors in Scotland have been very nearly ruined by the benevolent exertions they have made in order to save their people from starvation. I believe the Scottish proprietors think an obligation lies on them, if not legally, at least morally, to make every exertion to save their people from destitution; and in order to effect the same end in Ireland, I think that the law for the relief of the poor in Ireland ought to be made more conformable to the law of England. I do not think that the people of England would be safe if there was not a law which entitled the able-bodied poor to relief. I was much concerned, in the year 1834, with the Bill for the Amendment of the Poor Law; but I do not remember that while we were reforming that law, the Government of the day ever contemplated that the starving able-bodied poor should not have a claim to relief. I believe that is necessary to the peace and security of this country. I believe a similar law would be for the peace and security of Ireland. We must expect a great change in that country when the culture of other classes of food shall have taken the place of the culture of the potato; and I think that it is right to look forward to the condition of those who will take the place of the present race of able-bodied labourers when they may happen, from time to time, to be thrown into distress. I believe that this measure will induce the farmers of Ireland to give the labourers a greater quantity of employment than is given now. When they say to themselves, " This man must be maintained either in doing good and useful work, or in doing nothing, and be paid out of our rates for doing nothing," they will much prefer the former, and thus the able-bodied poor will be found a great assistance to the beneficial working of the measure. There are other points in the measure to which I need scarcely allude at length. There is one point in it which in Ireland, as well as when I stated it to this House, has produced considerable dissatisfaction—I mean the provision that one half of the whole body of each board of guardians should be constituted by magistrates as *ex-officio* guardians. I believe that the objection to that arrangement is founded on the old belief to which I see one of the bishops of the Roman Catholic Church still clings, that those persons who are in the position of magistrates in Ireland are hostile to the religious rights and political freedom of their country. Sir, if I thought that feeling was to continue in the minds of the magistrates of that country, who holding property there were always to be considered by the class of farmers and labourers as their enemies, I should doubt the propriety of placing in the same body equal numbers of the two classes. But I believe we are on the eve of great changes in Ireland, and I think that the resolutions to which I have already alluded, and the meetings which have taken place, and the accounts which we have from time to time of the working together of the clergy of different denominations, are symptoms of that great change. I think that the Protestant class, both in England and Ireland, sought for a long time for supremacy and for exclusion. In England the Protestant class had no adversaries to contend against; but the Protestant class in Ireland was brought into immediate collision with the most numerous class of their fellow-countrymen. Sentiments of ill-will grew between the two classes by reason of the Protestant class endeavouring to maintain that which they considered the due attribute of that pre-eminence which they had gained at the time of the expulsion of the Stuarts, and which, at the same time, they valued as a security for the permanence of the constitution of these realms; the other class thinking—as I believe most justly—that they were entitled to equal privileges in the land of their birth, and that no class ought to claim privileges or monopoly of any kind against them. But I trust that these questions, most of them being already solved, are all of them in the way to their solution, not only by legislative enactments, but by the working of popular feelings. I should indeed despair of the working of this or any other Bill of the kind, if I thought that class was to be against class, and clergy against clergy in the future as in past times in Ireland; but I do hope, though the transition may be accompanied by some reaction, we are in the transition to better times, when the Irish will act together for the benefit of their country, and acknowledge that we English have no wish to debar them from any right, any privilege, any object of ambition, which naturally is their due. And undoubtedly, seeing those symptoms, I do hope, with respect to the boards of guardians, and with respect to other relations of society in Ireland, that we shall see the Protestant and the Catholic—that we shall see Tory, and Whig, and Radical, and Repealer—differing, as no doubt they will do in future times on political questions, yet blending into social harmony, and continuing to act together in the common and usual and yet most important business of life—in administering justice, in conducting public works, in carrying on agricultural improvements, and in relieving destitution; and that in all social measures of this kind, they will act as persons of the same nation, and that no distinction will make one bear ill-will towards another. It is with this hope certainly, and not with the view of giving a supremacy to the *ex-officio* guardians, that I have introduced this clause into the Bill. Sir, I have now explained the general views of the Government with regard to the Bill now before us. It was stated the other night, that there were in the Cabinet Irish proprietors, and their names were mentioned; that there were two, or three, or four Irish proprietors who have seats in that Cabinet; and that they may be supposed to influence it in a determination favourable towards the Irish proprietors, so as to create an undue bias towards the claims of the landed proprietors of Ireland. Sir, those Members of the Cabinet are parties with us in proposing the Bill; if it imposes any burdens on the property of Ireland, they add the weight of their authority to its introduction; they are ready to bear the burdens which it imposes; and it is with that authority, and in the name of the Government to which I belong, that I ask the House to go into Committee, and propose that you, Sir, do now leave the chair.

MR. STAFFORD O'BRIEN said, that it was not a mere compliment to bear his tribute to the ability with which the noble Lord had addressed the House, and the good feeling, the true dignity, the earnestness, and the calmness with which he had brought the subject under their consideration. He must observe that the statement just made by the Prime Minister, was one which called for most anxious and careful consideration, addressing itself, as it did, not only to the entire British empire, but to the whole civilized world; and appealing most powerfully to the feelings of all who in any quarter of the globe wished weal or woe to England. The noble Lord had stated that the present expenditure for the relief of the poor in Ireland, was at the cost of a million sterling per month, or 12,000,000*l.* per annum—a million more than the entire rental of the country—while, notwithstanding the extent to which the resources of the nation were thus applied, it appeared that many of those who were receiving the relief which the Government afforded, were actually so weakened as to be unable to work; and that hundreds (perhaps thousands) had been obliged to lay down and die of famine. This, then, was the result of all our boasted civilization. This was its result in a country so close to our own shores, and which had so long professed to enjoy the blessings of Christianity. At the same time they had to remember the difficulties of a Government called to office at such a juncture, and to make all excuses for them if they failed. The noble Lord had divided his subject into two parts: in one he treated of what had been done to meet the present calamity; and in the other of what they were doing for the future in the Bill then before the House. Now, as to the former part of the subject, he could not help saying with respect to the Labour-rate Act, that—for those Members who had absented themselves from Parliament while that measure was being passed, and who withheld the advantage of their assistance in preparing it—for them to throw the entire responsibility of its failure upon the Government, was neither just nor fair. But when the Government had undertaken to supersede the operation of that Act, by measures of their own taken upon their own authority—and for which they had been obliged to ask Parliament to pass an Indemnity Bill—they exposed themselves to a larger scope of criticism, and to censure more severe. Now there were two great errors which the Government had committed, and he did not enter into them from any desire uselessly to complain of what had passed, but as a warning for the future. With respect to the first error, he called the attention of the House to the letter of the noble Lord (Lord J. Russell) to the Duke of Leinster. So long ago as in October last, the noble Lord at the head of the Government, writing to the Duke of Leinster, had alluded to the labour rate as a failure. And why had not the Government then followed the advice of those best informed on Irish affairs? That letter proved that the Labour-rate Act was a failure; and the right hon. Gentleman the Secretary for Ireland, when he wrote what was called Mr. Labouchere's letter, was compelled to make the same confession. The great objection to that Act was, that by taking too large an area for taxation, it operated as a bounty to the proprietor who neglected his duty, and was thereby an injustice to the man who performed it. That was so great a fault in the Act as almost to vitiate the whole benefit of the measure; and, taking as an instance of this the county of Clare, he had no hesitation in saying, that had the right hon. Gentleman made the area of taxation sufficiently small, there would not have been half so great a number of persons to employ on the public works there, or half the number of acres now uncultivated in that district—a great portion of the money now spent in unprofitable works would have been better employed, and many a fruitful occasion of mischievous organization prevented. The next error which the noble Lord had made, was one, the subject of which he had pressed on the attention of the right hon. Gentleman the Secretary for Ireland at the time, and in reference to which a question was long ago put by Colonel Jones—a matter which had caused the waste of so much public money, and given rise to so much jobbing—viz., the question, "who are the labouring poor?" No answer had been given to that question until the 23rd of October; and then came out a circular from Mr. Redington about a 6*l.* rating. He (Mr. S. O'Brien) had suggested that valuation, and not quantity of land, would be the better test of poverty. Those were the two great mistakes. He did not blame or criticise the Government for the non-supply of food; there was, and ought to be, entire freedom of trade between the two countries; a total absence of all obstruction; and, therefore, whatever share of blame fell to the noble Lord for his non-interference with trade, he (Mr. O'Brien) must take a full share with him, and was liable with him to the charge of hardheartedness, if any such could be made. The noble Lord had alluded to some resolutions agreed to by certain influential and powerful parties, and which were numerously signed. He had never joined that (the Irish) party; but he had seen those resolutions, and they were signed by several who were not only powerful and influential, but who had done their duty well during the present crisis. Their arguments, therefore, deserved to be well and seriously considered; but the great question which the noble Lord had put forward was that of out-door relief, with regard to which there was no notice of any Amendment to be proposed placed upon the books of the House, with the single exception of the one which he had himself given. He should say that in the main he agreed entirely with what the noble Lord had said upon the subject; and, looking at all the circumstances of the case together, he did say that that great experiment must be tried in Ireland. But seeing the great anxiety which was felt in Ireland upon the subject, not only by the middling classes, but by many of the highest, who thought it would absorb the whole property of the country without relieving the poor, he hoped the noble Lord would guard the proposition with every possible precaution. Perhaps the noble Lord might be induced to accept his suggestion with regard to the second clause. The noble Lord had said, and said well, that in consequence of what had been stated with reference to the conduct of England towards Ireland, he should bear testimony to the munificence and liberality which had been exhibited by England towards the sister country. And whether they tried that munificence and liberality by the test of the freedom with which assistance was afforded, or by the amount of the contributions, by neither would the result be such as to leave the liberality anything to be ashamed of. He thought it would be only fair and just towards England to try that liberality by both tests, and to consider both the loan which had been raised compulsorily, and the amount of subscriptions that had been so liberally given freely and voluntarily in addition. Taking the amount of the two modes of contribution together would be the only way by which they could test the liberality of England towards Ireland. Turn whither they might, there were none who did not hear of some instances of individual exertion or great self-denial practised by persons here in favour of that country. Even in this great metropolis, the inhabitants of which had been said to be the most unfeeling, the most unconcerned towards the miseries and unhappiness of Ireland, he could say that even in the hour of festivity the name of Ireland was never mentioned, without calling forth, not only expressions, but proofs of sympathy with, and liberality towards it. They might hope that one result at least of such exhibitions of generous feeling would be the drawing together the bonds between the two countries more firmly; and they might hope that any bitterness or animosity which exists in the hearts of Irishmen towards England would be extinguished, when they found so much liberality exhibited towards their country. The noble Lord had referred to the English law as the standard and criterion for the law about to be extended to Ireland. After his own experience both in England and Ireland, rather than run the risk of what that Bill would be when it left that House, he would take the whole English poor law clause by clause, and letter by letter, and extend it to Ireland. He knew that the right hon. Gentleman the Secretary for Ireland did not come to the same conclusion. He knew the difficulties of the question of rating; but so far as the purposes of the poor law were concerned, the electoral divisions in Ireland were practically the same as the parishes in England. There was a Bill before the House which had been brought in by the hon. Member for Suffolk in reference to the relief from rating of small tenants in England. By that Bill, the minimum for rating was proposed to be fixed at 6*l*. Now, he was willing to take the whole English poor law for both countries with the same limitations. Let them apply the same tests to both, and the same system of settlement and of exemption, and let them have one board of commissioners for the management of the whole law. He believed it would be the best mode of poor relief that could be established in Ireland, and that by it they would have the best security for the collection of rates. It did not become him, as an English Member, to urge the matter upon the House. It ought to be done by the Irish Members; and if the Irish Members were united amongst themselves upon the subject, he believed the noble Lord would give way to their suggestions, because he would know that there was a strong feeling upon the subject on the part of the English Members. However, if the House preferred, as he supposed it would, to go on with the Bill before it, he would give its details the best attention in his power, out of deference to the noble Lord, and to the extreme importance of the subject. He had before stated that he agreed with the noble Lord, that out-door relief should be given in Ireland; and he believed that those who would benefit most by the noble Lord's arrangement of having one-half instead of one-fourth of the boards of guardians, *ex-officio*, would be the poor. Irish landlords had many faults, but he believed that as a body they were not to be treated as undeserving of trust. At all events, they were at present learning a great lesson; and it should be remembered, that whatever may have been their standard of munificence and liberality, it was not as high as it was in England. When they made the area of taxation very large (as the noble Lord had said in his letter) they alarmed the landlords, who fancied they saw ruin staring them in the face. And what had been said by a Roman Catholic prelate as to the landlords of Ireland was perfectly true. Where there were good and bad landlords—where the tenantry of the absentees and of the residents were called together by baronies, it of course would happen that the population from the properties of the bad would attend in the greater numbers; and thus it was that, as Dr. Cantwell had observed, they

> —"brought the terror of the starving multitudes to exercise its salutary influence on men familiar with cruelty, and hitherto deaf to the cries of the widow and the orphan."

Now, it should be observed, that it was quite impossible for gentlemen with families and incumbrances to have come forward in the month of September last and improve their estates, where the area of taxation was so large as to include with them the properties of others which were neglected. He was quite certain that Parliament would fail, unless it legislated so as to give encouragement to the good landlords. He felt that the only chance for improving the condition of Ireland was through the landlords; and that chance would be lost, if the area of taxation were inconveniently raised. He observed the other day in a newspaper, an observation that the great difficulty of making the railroad to Shipley was carrying it through Bingley Bog, which had consumed from 80,000 to 90,000 tons of earth, thrown in as filling, without exhibiting the least sign of being satisfied; but still, like Oliver Twist, crying out for more. Now, what he most earnestly desired was, that the Bingley Bog might be no type of Ireland, and that they were not to have England giving million after million, impoverishing herself, pandering to the worst passions of Ireland, and at the end leaving that country worse than it was at first. The sole restriction placed upon the Poor Law Commissioners under the existing law, was not to divide any townland in the formation of the electoral divisions. The extent of the unions in Ireland varied as much as from 507,154 acres to 38,000 acres; and the electoral divisions from 145,598 acres to 534 acres. Making all allowance for the poverty of mountainous districts and for large cities, this, he submitted, was a state of things that called for a complete revision; and he thought that when the noble Lord was bringing in a Bill of such magnitude as that before the House, he ought not to increase the risk and difficulty of its working by making further changes based on this arrangement, but leave the matter for further consideration. Considering that the Commissioners had the power of altering any electoral division at any time they wished, and considering in the next place that every board of guardians had the power of uniting the rates for all the electoral divisions, and rating the union at large in one union rate, he thought that some attention ought to be bestowed on what had been already done in this respect. In order to judge of the popularity of the noble Lord's measure in Ireland, it might be as well for the House to know how many boards of guardians had availed themselves of this legal enactment to which he alluded. There was but one board in all Ireland that availed themselves of the power thus given—that of Dunmanway, in the county of Cork. All he desired was to leave the Commissioners and the boards of guardians in possession of the power which they at present possessed, and not to force on them a plan which he knew was objected to by all those who had sigeed the memorial, by most of the Poor Law Commissioners, and by a large majority of the Members from Ireland, or who were connected with Ireland in that House. The question in dispute was not between one electoral division and another, but it was a question of the country against the towns. It was chiefly the towns that pressed for the alteration which the noble Lord proposed to make; but he was prepared to show that their case was not borne out by facts. The amended Act of the late Secretary of State for the Home Department required a twelvemonth's residence out of eighteen in a particular division to constitute a claim on that division; but though it had been contended that the previous law induced the landlords to drive numbers of their pauper tenants into the towns, a reference to the returns would show that the rating bore about the same proportion between the electoral divisions now as it bore before the passing of that Act. They heard much about clearing of estates, and of the poor wretches who were expelled being driven into the towns; but he believed the poverty existing in the towns had far less to do with the clearing of estates in the unions to which the towns belonged, than most persons imagined. In a petition that had been presented from some members of the board of guardians of New Ross, favourable to union rating, it was stated that a great majority of the poor charged on the town came originally from remote places, in numerous instances, without the union. Now, that allegation cut the ground from under the feet of the petitioners; for how could they, after that, ask the House to charge these poor on the rural districts of their own union, which had nothing whatever to do in bringing those poor wretches to the town? Again, in a petition from Kilkenny it was stated that the clearing of estates had been extensively put in practice in distant localities, to the great increase of the pauper population of the town. But how that could be a reason for charging the adjoining electoral divisions with the maintenance of these paupers, he was at a loss to conceive. The principle for which he contended was that which guided the Poor Law Commissioners in striking out their boundaries. It was stated by one of these Gentlemen that one of the main principles which guided them in forming the electoral districts, was that of respecting, as much as possible, territorial divisions, and thereby giving the landlords an immediate interest in their own district. If the Government did not act on that principle, and make the territorial divisions so small that every proprietor should have—he did not mean an interest merely in the poor of his own estate, but have—his self-interest on the side of his duty, they could not hope to succeed. If they did not adopt that principle, he wanted to know what other principle they were to have. Let them, if they wished, establish a national rate, or place the poor of both countries upon the Consolidated Fund; but between such an extreme and the principle for which he contended, he could see no just medium. If they looked at the state of the most extensive unions, such, for instance, as the unfortunate union of Skibbereen with its 236,000 acres, they would find that from the large area of taxation the landlord could not find it to be his interest to do what he otherwise might effect for the employment of the people. They had one union, that of Scariff, in the county of Clare, in which the union rate exceeded the electoral division rates, the proportion being 174 for the union rate to 114 for the electoral division rates. He believed that was the only union in Ireland in which the experiment of union rating in contradistinction to electoral division rating had been carried out. But what was the condition of that union at present? On the 10th of February, 1847, Mr. Redington, the Under Secretary for Ireland, wrote to Sir William Somerville, the Under Secretary for the Home Department, enclosing, for the information of the Home Secretary, a copy of a letter from the Poor Law Commissioners to the board of guardians of Scariff, which was as follows:—

> "The Poor Law Commissioners have received a resolution passed by the board of guardians of the Scariff union on the 2nd inst., requesting that the Commissioners will sanction the guardians borrowing from their treasurer the sum of 3,000*l.* for twelve months, the interest not to be charged to the rates of the union; and in reference thereto, I am directed by the Commissioners to state that, under the peculiar circumstances of the union, they will raise no objection to the proposal of the guardians to borrow 3,000*l.* for twelve months, the interest not to be charged upon the rates of the union; at the same time the Commissioners wish it to be distinctly understood that it is the duty of the guardians not to relax their exertions in enforcing the payment of the rate by the present ratepayers; and they confidently expect that the guardians will make use of all the powers entrusted to them by the law to compel the solvent parties who are in arrear to pay what is due from them."

To that letter the hon. Baronet (Sir William Somerville) replied—

"I am directed by Sir Grey to acknowledge the receipt of your letter of the 10th inst., enclosing for his information a copy of a letter from the Poor Law Commissioners to the board of guardians of the Scariff union of the 5th inst. Sir George Grey perceives that the Poor Law Commissioners have sanctioned the borrowing of 3,000*l.* from the treasurer of that union, and have, at the same time, informed the board of guardians that the interest would not be charged upon the rates. In your letter you allude to the proposal of the Commissioners allowing interest on such advances; but as it does not appear from what funds the interest is to be paid, I am to request that you will inform Sir George Grey how it is proposed that the payment of interest in such cases is to be defrayed."

He was sorry to say that no answer had been given to that letter. Some of the petitions in favour of union rating mentioned difficulties, which not only Mr. Redington, not only the Under Secretary, not only the Home Secretary, but the whole assembled Senate of Great Britain, would, he thought, find it extremely hard to settle. If they took the charge of the establishments on the Consolidated Fund, paid the expense of the erection of workhouses, and in addition undertook to pay half the rates, or even the entire amount of the rates, still they would leave Ireland worse than they found her; because they would not have created that self-reliance among the Irish people which the Government was so fond of preaching, but which the noble Lord, if he followed the course he now so earnestly and impressively advocated, would be very far from promoting. He did not ask the House to leave any one in Ireland to starve: all he asked was, that the 10th Clause should be omitted from the Bill. They were about to extend the poor law in a season of distress, which affected not only the poor but the rich; and he wished them to be aware, that whilst on the one hand they ought not to hesitate in extending relief to the poor; upon the other hand, a poor law passed by which a great number of the gentry believed they were to be ruined, should leave as much untouched as the nature of the case would admit of. He would, however, spare his objections to the 10th Clause until it came into Committee. ["Hear."] Did the hon. Member who cheered wish him to go into the clause now? In conclusion, he must request the noble Lord at the head of the Government to consent to the omission of this clause; for he had greater hopes of persuading the noble Lord than the right hon. Gentleman the Secretary for Ireland, who was considered to be a strong and unflinching political economist. The noble Lord knew the vast importance of this subject; but if the noble Lord chose to persevere with the clause, and the House supported him in it, he could have the satisfaction of knowing that he had disregarded the warnings and refused the counsel of those upon whose aid alone he could depend for mitigation of present evils, and attainment of future prosperity in Ireland.

MR. POULETT SCROPE thought it would have been better if the hon. Member who had just sat down had deferred his observations upon the 10th Clause until the Bill arrived in Committee. The question referred to by the hon. Member was a most difficult one in the present peculiar condition of Ireland; and he (Mr. P. Scrope) was not quite sure whether it would be desirable to introduce the plan mentioned by the hon. Member. In his opinion there was no medium between a wide area and an estate area, in reference to assessment to the relief of the poor. With regard to the great question of out-door relief to the able-bodied, he must take the earliest opportunity of expressing his deep and heartfelt gratification at the speech of the noble Lord at the head of the Government. The speech of the noble Lord would find an echo throughout England; and he believed the echo would be repeated through the greater part of Ireland, for the great principles that for the first time, in reference to legislation for Ireland, he proposed to introduce into the Bill. The people of England were unanimous on this question. They were of opinion that Ireland had long enough been free from liability to local taxation for the relief and maintenance of her poor, which in England had been borne now for many centuries, and to which was attributable the wealth, prosperity, and successful industry of this country. Indeed, he could not conceive it possible for the empire to hold together without the existence of the great principle of the English poor law. To attempt to remove that particular portion of the poor law relating to the able-bodied, would plunge this country into that restless disposition, and that turbulent discontent, which was the main cause of the poverty of Ireland, and of the non-development of her magnificent resources. The consequences of the absence of such a law in the reign of Queen Elizabeth and her father rendered England at that time a sort of Tipperary. There were then crimes of an agrarian character, for which the only remedy was adopted by the wise statesmen of Elizabeth—the simple remedy of giving to every honest, industrious man the certainty of being able to live—the certainty that, if he obeyed the laws, and was able to labour for his livelihood, the means of it should not be taken from him, or at least that he should not be exposed to the risk of starvation and destitution. Let such a law be enacted for Ireland, and at once an end would be put to those horrible crimes which had so long desolated that unhappy country, and a state of things would arise in which there would be security for English capital to develop its resources. But he wished to call the attention of the House to some points which had strongly impressed themselves upon his mind, inasmuch as, having the same object in view as the noble Lord, he was inclined to doubt whether the provisions of the Bill would be adequate to carry out his design. The noble Lord, much to his gratification, said he was desirous of proposing some mode whereby relief should be given in Ireland as in England. This was precisely his object. He had long felt strongly upon this point; and this must be his excuse to those Irish Gentlemen who seemed to have considered him somewhat pertinacious in so frequently intruding upon the House the necessity of adopting in Ireland the principles of the English poor law. This was quite as much an English as an Irish question. It was in vain to expect to improve the mass of the population of England or Scotland, or indeed to prevent it from deteriorating, unless they began by making legal provision for the poor of Ireland. The interest of the question became still more important to the people of England when the present condition of Ireland was considered. In ordinary years great numbers of Irish labourers—he did not mean those for the harvest—came into this country, depressing the wages of the English labourer, and creating a large burden upon our poor rates. In Liverpool there were usually between 60,000 and 70,000 permanently established; in Manchester, between 80,000 and 90,000; and in the metropolis, no fewer than 100,000. In England and Scotland together the Irish population could hardly be reckoned at less than 500,000. It might be said that so long as British freedom prevailed, their removal could not be prevented. He acceded to the justice of that remark; but it was the very circumstance of being unable to prevent this immigration that made it so unwise to maintain a state of law in the two countries which had the effect of forcing Irishmen to leave their homes. If it was hard upon the Irish to be driven from their own country, it was still harder that they should come here to depress English labour and burden English rates. And this question assumed still greater importance from the increase of immigration which was now going on upon a large scale. In Liverpool and Glasgow immigration was enormous. The authorities at Liverpool, alarmed at the prospect of having to maintain a vastly increased number of Irish poor, 50,000 of whom had landed there within the last three months, had sent trusty agents over to Ireland to ascertain whence the people came, and why they came. The report of these officers was to the effect that the roads in the direction of England were filled with persons making their way here; and their explanation was, that they were starving in Ireland, but that in England there was a law which prevented any one from starving. The only place open to these poor people was England, many of whom had been ejected by some of the landlords of Ireland. Here then was a prospect of the most formidable character to English ratepayers; for not only had the Irish who came over a right to relief as casual poor, but last year an Act was passed giving the right of irremovability from a parish after five years residence. This was tantamount to a permanent settlement for every Irishman and his descendants who now came over; and if the number who arrived reached to a million, the burdens upon the local rates might easily be conceived. He, therefore, asked all who took an interest in the welfare of England as well as of Ireland, to exert themselves to take care that the Irish poor should have the same right to relief in their own country as they had here, in order that the great and mischievous differences between the institutions of the two islands, where the population of one and the ratepayers of the other were materially prejudiced, might be removed. The potato being destroyed, Ireland would require a greater amount of labour than hitherto, in order to cultivate grain; for it was a fact that the transition from potatoes to grain would require increased tillage in the proportion of three to one. He disapproved, therefore, of all propositions of emigration, being convinced that, in a short period, instead of finding her labour redundant, the terms for labour in Ireland would equal those in England. Now, with regard to out-door relief—as far as he understood the Bill of the noble Lord—the able-bodied were not to be entitled to out-door relief until the workhouse was full. He hoped the noble Lord would be induced to reconsider that point. When the Bill was first introduced, it contained clauses, which he infinitely preferred to the present provisions, giving power to the Commissioners to order out-door relief when any union was in such circumstances as appeared to them to require it. He much preferred that provision, and should be glad to see it reintroduced into the present Bill. Nor did he stand alone in his view upon this matter; for he was strongly supported by many who were best able to give an opinion upon it, and, amongst others, by Mr. Shafto Adair, who had published an admirable work on the subject, recommending the application of out-door relief to the able-bodied in the shape of labour. Unless this course were adopted, he feared the poor would look upon workhouses in the light of prisons, and the law as regarded the able-bodied poor would be rendered a dead letter.

MR. GREGORY gave every credit to the hon. Member for Stroud for the conscientiousness and benevolence of his views; but he begged to state, that the landlords of Ireland, who were resident on the spot, saw every fact of the case, and every phase of the disorder—their nerves were daily and hourly wrung by witnessing the sufferings of which Englishmen only read. But because they did not propose by a stroke of the pen to cure evils which were so deeply rooted in Ireland, and objected to propositions which they believed would cause increased debility, if not the actual dissolution of the country, they were represented as shortsighted and interested landlords, or flinty-hearted political economists. But he must say, without offence to the hon. Gentleman, that he had invoked to his aid a false spirit of humanity, and an unreflecting compassion. He wished to argue this question of out-door relief to the able-bodied poor upon general principles; for he feared the temper of the House was such that it was not enough to show that by the sanctioning of this principle all the property in many parts of Ireland would be entirely swallowed up—he feared that, with many Members of the House, that would be the chief recommendation of the measure. The object of the hon. Member for Stroud was to ensure to every man in Ireland a fair day's wages for a fair day's work. Now, that was going much farther than the principle of the amended English poor law, which only sanctioned the practice of the relieving officer in giving relief until the next board day, when it was to be settled what should be done with the pauper. But if the right to relief and the setting to work were to be enacted, he believed that consequences so serious would follow that they would find it impossible to retrace their steps. If, in Ireland, the hon. Member wished to see his nostrum carried out in full vigour, and extended over the whole surface of the country, he should come and see the operation of the present system of public works. The same intimidation which was exercised at the county sessions would be exercised against the magistrates and the poor-law guardians. What had caused the great rush to the public works in Ireland? The majority, no doubt, were driven by the pressure of famine; but did not the accounts from every inspector in every county in Ireland tell them that there were men, well to do in the world—men with money in the savings' banks, holding land, and possessing cattle—who rushed as eagerly to the public works as the wretch who was starving. The accounts of every inspector in Ireland contained the information that the habits of self-reliance and the hope of exertion had disappeared in every district in Ireland where the labour-rate was most rife. If there was not a formal combination against the tillage of the land in the county of Mayo, as had been stated by the right hon. Secretary for Ireland, there was, at any rate, a kind of childish reliance upon something or somebody—whether Providence, or the Government, or their landlords — there was a heartless apathy, a Turk-like fatality among them, which was even more dangerous than open discontent. This was the state of mind even among the tenantry who had experienced nothing from their landlords but kindness and forbearance. There was no intention among them either to better their condition or to remove out of the country. That was the condition of his own tenantry last winter. He had instituted works upon his estate which he did not want, in order to keep his tenantry off the public works. He gave them task-work in making a new avenue to his house, and paid them at the rate of 1*s.* 4*d.* a day every Saturday, with soup twice a week from his own kitchen. Yet these men, being in the habit of passing by the place where their neighbours were employed on the public works, one day unanimously left his employment, and proceeded to the inspector at Cork, where they obtained employment on the public works, at the rate of 10*d.* a day. This was a state of things which the proposition of the hon. Member for Stroud, and which he feared the proposition of the noble Lord the Member for London, would extend and perpetuate in Ireland. The only difference between their propositions and the operation of the Labour-rate Act would be this —that under the Labour-rate Act a man would have to calculate his chances of obtaining employment on the public works, and believing the chances to be favourable he neglected the land and became indolent; whereas, in the other case, he would have no chances at all to calculate; he would be certain of support, and therefore he would be certain to be indolent. After all, this proposition was nothing else than a reproduction in Ireland of all the evils under which England had groaned under the old poor law, which had the effect of pauperising and demoralising many districts in England; and he was satisfied the effect of its introduction would be, that the Irish peasant would cast himself upon the public funds. He would find that public works afforded a light and easy occupation, and, being surrounded by his friends and neighbours, he would have no idea of degradation; but he would laugh at his toiling, struggling neighbour, and congratulate himself with the thought that whether there was scarcity or plenty in the land, it was all alike to him. In 1808, Napoleon, who appeared to agree in opinion on that subject with the hon. Member for Stroud, proposed to employ a large portion of the population of France at public works, fertilising and embellishing the territory of France. Workhouses to the number of thirty-seven were built for the reception of those persons, and they were employed as Napoleon had directed; but after six years' experience, the unanimous voice of the departments cried out against the system, and it was abolished. If that was the result in thrifty and laborious France—if it were calculated to produce evils in thrifty self-relying, and wealthy England, what would be the effects in Ireland? The effect of such an extended system of out-door relief and employment on public works as that to which he alluded, would be to produce in Ireland all the bad effects of the old poor-law system of England. The proportion of destitute poor in Ireland was so great as compared with those in England, that the same law could not be fairly applied to both countries. In fact, the whole rental of Ireland would not suffice for the relief which must be required under this Bill. If you were to provide for 2,500,000 casual poor, estimating the expense at 1*s.* 9*d.* per head (the average given by the Poor Law Commissioners), the entire expenditure would amount to 11,875,000*l.*, a sum nearly double—not the net income given in that return—but the real income of Ireland. It was not for the purpose of shirking the duty of supporting the poor that he opposed the system of giving out-door relief; but he opposed that proposition in consequence of his knowledge of the country, and the character and disposition of the people. The hon. Member for Stroud talked of the immigration of 80,000 or 90,000 Irish paupers into Liverpool and Glasgow; but did he think that a Poor Law Bill would stop this immigration? If he did, he had much mistaken the nature of the increased facilities of steam communication, which had rendered St. George's Channel nothing more than a bridge between this country and Ireland. The same principle that brought the Hill Coolie into the Mauritius, would always bring the Irish poor into England. The hon. Gentleman also spoke of the increased amount of productions which would be derived from the soil by setting the people to work in the manner proposed by the Government; but in his (Mr. Gregory's) opinion there were three causes for the non-employment of the Irish people, and, consequently, for the poverty of the country: the first was a want of inclination to work; the second, a want of capital; and the third, remunerative industry upon which that capital might be employed. Would the Bill before the House meet those wants? On the contrary, would it not, by absorbing the capital of the country, have the effect of diminishing wages, and reducing the labourer and the artisan into the ranks of pauperism? The Irish landlords did not want to shirk the burden of supporting the poor, who were ready to submit to the workhouse test. Tax property, confiscate it, if they would, for the purpose of affording increased workhouse accommodation; but do not inflict a Bill on the nation which, he believed, would be more prejudicial to the poor than the rich. He would conclude by reading to the House a quotation from a modern writer, which ought to be engrafted in the mind of every man engaged in the business of legislation. This writer said—

> "It is necessary to impress on the mind of the poor that they are the arbiters of their own fortunes, and that anything that other people can do for them is but as the dust in the balance compared with what they can do for themselves, and that the best and the most tolerant Government, and the wisest institutions, cannot shield them from poverty and disgrace, without a proper degree of forethought, prudence, and good conduct on their part."

MR. DILLON BROWNE said, that the great objection to the measure was that it was not a full and comprehensive measure of relief; it bespoke a hesitating policy; it did not show a disposition to grapple with the real nuisance, the irresponsibility of property in Ireland to meet the full amount of its destitution; and it did not apply a full and equivalent remedy to the evil. Her Majesty's Government appeared to be swayed by two considerations, and to be oscillating between both: on the one hand, universal feeling in England, which insisted that property in Ireland should bear the full burden of its distress and destitution; and on the other hand, they were influenced by the disposition on the part of the landlords to escape from their liabilities. The Bill was introduced to satisfy the sense of English justice; but it was clipped and mutilated, and confined to satisfy the Irish landlords. Why introduce those clauses which were calculated to complicate the working of the measure, and to let the landlords creep out of their responsibilities? Why make the possession of land beyond a certain amount an exception to the title of relief? He thought that every person ought to have a title to relief unencumbered by any conditions, provided destitution were proved. Let absolute destitution give an absolute title to relief. By creating those distinctions the effects of the Bill would be neutralised—it would not be a perfect measure; and they would have to propose amendments next year, when the battle would have to be fought over again, and not upon the same vantage ground. He conceived that every man, woman, and child who required food, raiment, and shelter, had a claim upon the State for those necessaries as far as they were requisite to satisfy hunger and to preserve life; and making it compulsory upon the rich to cater for the poor in these respects, would hold out an inducement to the former to assist the latter by means of employment, in placing them beyond the reach of such extremity. This would give to the higher classes a direct interest in the welfare of the humbler classes of society. It would bring agrarian wealth and agrarian industry together; for the wealth would diminish in proportion as industry was unemployed, and poverty and destitution accumulated, under an extensive system of poor law. The Irish landlord would feel that it would be better to pay a shilling a day to the tenant for remunerative labour, than to support his whole family in the workhouse, from whence there would be no return whatsoever. Therefore, he was opposed to any restrictions which could not make this a comprehensive measure. Excluding those from relief, even those who possessed above four acres of land, would very much neutralise the effect of the Bill in Connaught. It would throw throw nearly half a million of people, who were subject to destitution, out of the scope of the Bill. It was an established fact that persons holding from one to five acres in Connaught were subject to destitution; for instance, the man holding four acres, what was his condition? Two acres of his farm sown with oats paid his rent; two acres sown with potatoes supported his family, so that if the potato crop failed, he would be in a perfect state of destitution. Besides, he would be frequently obliged, in order to enable him to pay his rent, and to purchase seed for the land he kept for his own use, to sublet his farm to others for the season, so that the part that he retained to himself for his *bonâ fide* benefit might not be as great as what would admit him to relief under the Act, but still he would be excluded as the nominal and permanent occupier of the whole. These evils arose in consequence of the rack-rent system in Ireland; and it was necessary to consider it before there could be proper legislation in the way of provision of the poor. The competition for land in Ireland assisted the avarice of the landlord, in placing all the profits in the pockets for the latter, after the family of the occupant had sufficient to keep body and soul together, so that there was no profit to the smaller tenant, from which he could have aught in seasons of plenty, to fall back upon in a year of scarcity or famine. The letting of land in Ireland was the most dishonest, grinding, inhuman system ever known; while the avarice of some landlords and their agents, and the necessities of others, placed a higher pressure upon the bone and sinew of labour in Ireland for a less reward than was received by any other people in the world. A noble Lord the Member for the county of Down (Lord Castlereagh), during a late debate, had defied hon. Members to prove the case against the landlords. He would state one instance in the county of Mayo which would shock humanity. Mr. Vesey, a large proprietor in that county, and an absentee landlord, let, some twenty or five-and-twenty years ago, a tract of bog land to a number of tenants, who reclaimed it, and raised its value from being worth nothing, except for snipe shooting, to be worth upwards of 1*l.* an acre. He then ejected them, though they offered to pay the same rent as the incoming tenants, and placed them upon another tract of bog, promising to give them leases when reclaimed, at a specified rent. However, when they raised this tract to the same value as the former farm, he attempted to eject them again. He processed them for that purpose to the assistant barrister's court, who dismissed the processes, holding the parole agreement to be good. But if there had been no evidence of it, these unfortunate wretches would have been thrown upon the world; and would that then not be a fair system which burdened the property of the heartless landlord to the full amount of providing for the destitution he had caused? What did the Earl of Lucan do the other day? He tried to eject some tenants in the neighbourhood of Ballinrobe—he tried in vain to unearth the unhappy wretches, and finding that he failed, he tore the roofs from over their heads during the present awful crisis and the inclement weather of last week. It was said that the Earl of Lucan expended his rents upon his property; he might to some extent do so upon his domain, but not for the benefit of his tenants, except to the inconsiderable amount of labour that he gave. Respecting the payments of rates on the part of the noble Earl, he (Mr. Browne) begged to read the following extract from the *Castlebar Telegraph*:—

> "Westport Union.—At a meeting of the Westport board of guardians, held on Wednesday, Feb. 24, 1847, it was unanimously resolved, that in accordance with the resolutions of the 17th inst., with reference to the application of Mr. G. Ormsly, on the part of the Earl of Lucan, we have been duly informed by the rate-collector of the electoral divisions of Aughagower, Kilmeena, and Kilmaclasser, that he has duly furnished the necessary stated accounts from the rate-books to the office of the Earl of Lucan, in March, 1846; and subsequently, through the solicitor of the board, Myles Jordan, in July, 1846, who also furnished a copy of the same. These lists have been returned from the office of the Earl of Lucan, with observations which, in the opinion of this board, do not exempt his Lordship from the liability of discharging. That similar rate-accounts have been furnished to the offices of the Marquess of Sligo and Sir R. A. O'Donnell, Bart., which were duly discharged to the board. Resolved—That similar lists were furnished by the rate-collector of the Westport and Clare Island electoral divisions to the office of the Earl of Lucan, in the month of January, 1846; and also to his aforesaid solicitor, in July, 1846, which has not up to this period been attended to, with the exception of 10*l.* odd paid by his Lordship's bailiff to the aforesaid collector; and that we now feel it our duty to call the attention of the commissioners to these facts.
>
> "R. A. O'Donnell, Chairman.
> "F. Bourke.
> "Fitzgerald Higgins.
> "George Cluddining.
> "George Hildebrand."

It would be seen that the solicitor of the union, who it was to be presumed, in consequence of the doubt raised, was fortified by the opinion of counsel, made this demand upon the Earl of Lucan, who refused to attend to it, though the Marquess of Sligo, Sir Richard O'Donnell, and other gentlemen, did not demur to the payment. At all events, this was not a time to fall back upon nice legal distinctions; this quibbling was not becoming in such an emergency. He would call the attention of the House to what happened in another place in Mayo, which would give the House a proper idea of the disposition of the landlords to act fairly by the people. At an extraordinary sessions in Ballinrobe, on the 2nd of March, a vote of thanks was proposed to the noble Lord the Member for Lynn, and unanimously adopted. After this the Rev. Mr. Anderson, the incumbent of Ballinrobe, and Mr. Close, the curate of Kilmain, proposed the adoption of a petition to the Board of Works, praying that the labourers should be allowed 8*d.* a day; which the chairman, Mr. Lyndsey, of Hollymount, refused to put it to the meeting, stating it was irrelevant to the objects of the meeting; but it certainly was as relevant as the vote of thanks to the noble Lord; but the duties of the chairman were superior to the claims of poverty, but not to the interests of party. Some landlords, he granted, could not do their duty to their tenantry from their necessity, because they were only agents to their creditors; and any system which created a change in property, and gave to those really in possession of the rents an avowed and *boná fide* interest in the soil, so as to enable them to meet the contingencies of an ordinarily bad season, or a calamity like the present, would be most desirable. Exclusion in consequence of the possession of land would create great delays and confusion in a country like Ireland, where there were so many joint-tenants, and such an extent of sub-letting. Destitution might be perfectly established to the conviction of the board of guardians, yet they could not grant relief without considerable delay, as the applicant might be a joint-tenant, who parted with the good-will of his holding; thus the claimant might perish of destitution before the inquiry could be made, and, consequently, the sources of charity be fatally sealed against him by such a clause. But the condition of the occupant, in some instances, could not be tested by the extent of land he held; for in some remote parts of the country, a tract of land was in some localities only worth from 1*s*. to 5*s*. an acre; while elsewhere a similar extent might be worth from 30*s*. to 40*s*. an acre. He objected particularly to the increase of the number of *ex-officio* guardians—to paralysing the electoral principle in the Bill—and increasing the numbers of those who would be responsible to the country for the discharge of their duties. The elected guardians had, he would grant, in some cases obstructed the working of the measure; but in these cases, he frequently found they were the tools of the landlords and the *ex-officio* guardians; therefore increasing the number of the latter was obviously not remedying the evil. This clause would be most unpopular in Ireland; it would lead to general discontent, and impede the working of the measure: the imperfections of the details might even create a prejudice against the principle of the Bill, and in future the Government might find it very difficult to carry out any measure of poor law, however perfect. He was sorry to see a reformed Ministry introducing this clause, which was not even a finality, but a retrograde movement; and he hoped that the Irish Members would resist this invasion, which might be a precedent for future attacks upon the principle of self-government. As to uniformity of rating, there was much to be said for and against it, and much to be said in favour of small territorial divisions, as was suggested by the hon. Member for Northamptonshire. It was most desirable that individual property should bear the burden of the taxation, if it did not lead to clearance of properties and extermination, and militate generally against the charity, by inducing guardians to refuse relief, lest the charge for the claimants might be assessed upon their respective localities. He knew a certain perversion of the Act to take place in many unions in Ireland. It was frequently the habit first to determine what electoral division was to be made liable for the charge of the claimant's support, before he was admitted generally as a proper subject of relief. He had heard *ex-officio* guardians say, in particular instances, that they were very willing to admit a pauper from their own neighbourhood, if he were placed upon the union at large; but they would not, if placed upon their own electoral division. Out-door relief was one of the best features in the whole Bill; for out-door relief was the test of out-door labour, and would combine two objects upon which the permanent prosperity of that country essentially depended. But as regarded out-door relief, why was it only to be extended to the disabled, from old age, or other defects and infirmities, when permanently afflicted? A destitute person temporarily afflicted might be bedridden for a time, and unable to crawl to the workhouse, where life could be preserved through the means of temporary relief. Indeed the exception should be in favour of those who were temporarily afflicted; for forcing them to the workhouse would be apt to degrade them in their own estimation, and to deprive them of that self-respect calculated to sustain them in the after struggles and pursuits of life. In conclusion, he begged to call the attention of the Government, though it was foreign to the subject, to applying labour in Ireland immediately to the cultivation of the soil, or there would be another appeal to that House next year, and another fatal pressure upon the finances of the country. It was useless to depend upon the landlords doing their duty, and experience proved the futility of such reliance. Let the Government supply the people with seed, and make it a first charge upon the land. Dependence upon the landlords would be a very sorry excuse for the Chancellor of the Exchequer next year, when he came down to that House to demand fresh supplies to meet a new calamity, which a little timely expenditure might have averted. This was not alone a matter of philanthropy with the people of England, but it was a matter of pounds, shillings, and pence. Let them pause ere it was too late, and refrain from being penny wise and pound foolish.

MR. BATESON, as an Irish Member, wished to give the noble Lord at the head of the Government credit for the very best intentions, believing that the noble Lord had shown every disposition, and even great anxiety, to mitigate the calamity with which it had pleased Providence to visit Ireland. He feared, however, there was some under-current at work somewhere, which prevented the noble Lord from carrying out his good intentions. The Amendments which the noble Lord had made in the Bill the other evening had certainly removed some of his objections to the measure; but still he agreed with the hon. Member for Dublin that outdoor relief should not be given to the able-bodied. He could not understand how English Members could have so far forgotten the effects of such a vicious principle in England, as to sanction its application to Ireland. If in a wealthy and thriving country like England, that system had proved a miserable failure, how could they hope to apply it successfully to Ireland, where poverty existed to such an alarming extent, and where, in a great number of instances, the circumstances of the ratepayers were little removed from those of the paupers? If once the right of outdoor relief to able-bodied paupers were established by law, pauperism would be encouraged, the whole property of the country absorbed, and the population demoralised. Having brought the country into this state of insolvency and ruin, the whole of Ireland would be one monster union, and the Prime Minister of England the head relieving officer. He was anxious to provide comfortable maintenance for the aged and infirm, leaving it to the discretion of a properly constituted board of guardians to decide whether the aged and infirm, as well as those temporarily disabled, should receive relief in or out of the workhouse. He would also support the noble Lord in every measure which he might introduce to extend workhouse accommodation for such able-bodied paupers as were willing to submit to the workhouse test. He hoped some improvement would be made in that part of the Bill, which was calculated to confound the good with the bad, by feeding the drone at the expense of the industrious. He was proud to see the exertions that the great majority of resident Irish landlords were now making to promote the welfare of the poor, notwithstanding the foul and malignant calumnies that had been so industriously circulated against them. He really could not understand how any person could have listened to the very able speech of his hon. Friend the Member for Northamptonshire (Mr. S. O'Brien), on a former occasion, as well as on that evening, when he urged the necessity of reducing the present area of taxation, without being convinced of the force of his arguments. He felt confident that the system proposed by his hon. Friend would be the surest and safest way to prevent destitution and to obviate the necessity of relief, inasmuch as every individual landed proprietor could give as much employment as would have the effect of reducing to a very great extent the amount of the poor rates which he might otherwise be called upon to pay. The right hon. Gentleman the Secretary for Ireland objected to the plan of his hon. Friend, on the ground that it would be impossible to carry it into effect. But the right hon. Gentleman, when he stated his objection to the proposal of the hon. Member for Northamptonshire, appeared to have forgotten that that was the very system which was now being carried out in this country. Each parish in England was obliged to support its own poor. Before he sat down, he wished to observe that he regretted the Government had not manifested a greater intention to induce emigration from Ireland, because he feared that, however excellent in itself, the proposed poor law might be, yet, unless it were accompanied at the same time with facilities for emigration, it would fall short of the mark, and prove comparatively useless. For a length of time emigration had been carried on to a considerable extent in that part of Ireland with which he was connected; but he regretted to say that the great majority of the persons who had so emigrated had been of the enterprising and industrious class. Their departure from their native shores he considered to be a national loss. The spontaneous emigration upon which the noble Lord at the head of the Government appeared to rely so much, deprived Ireland of its very bone and sinew. Why did not the noble Lord hold out some inducements for emigration to the cottier class? Was the noble Lord prepared to extend the 55th Clause of the present poor law, which provided for emigration, in such a manner as would enable the boards of guardians to carry out efficiently the emigration of the cottier class? The Government might advance money, or give some pecuniary assistance towards enabling them; they might apply in that manner a certain portion of the 8,000,000*l.* which they had so liberally voted for Ireland, and it might be laid out much more profitably to the present and permanent benefit of Ireland by such means, than by making and repairing roads. They had been told that one of the tendencies of this poor law would be to diminish the present number of small holdings, and that hundreds of thousands of that class of farmers would be reduced to the condition of labourers. He would not attempt to deny that it would have such an effect; indeed, he believed that those small farmers would, when reduced to the condition of labourers, be in a much superior condition to that in which they were at present; but where could they procure employment for all the redundant labourers which would be created under the proposed law? It was impossible that they could all be employed in the cultivation of the soil; there were no manufacturing towns in Ireland; and they could not, therefore, be employed in manufacture. What then was to become of them? Unless the Government held out some inducements for them to emigrate, they must become an incubus, pressing heavily on the ratepayers. He would not deny that an extensive system of emigration must be attended with a very considerable expenditure; but he contended that that expenditure would not be so great as that which must be incurred in carrying out the Bill in its present shape. He thought that no measure which had yet been proposed—no Bill for the temporary relief of destitution in Ireland—no Bill for the improvement of the land—no poor law—would or could adequately provide for the amount of distress which at present prevailed, or for the permanent relief of Ireland, which did not at the same time provide means of employment and support to the surplus population for whom they had voted such an immense sum. But he trusted that, notwithstanding all those circumstances, notwithstanding the present crisis, which was as frightful as it was unprecedented, there were still brighter days dawning for Ireland. He hoped that by the judicious aid of the Government the present calamity might be turned into a means of national prosperity, which would raise Ireland to her proper position in the scale of nations. But should the Government unfortunately act without a due consideration of her present state, and the means by which she might be raised to prosperity, that unhappy country must sink still lower, and all classes of her population would become confounded in one odious mass of destitution and despair.

Sir W. MOLESWORTH: Sir, the question is one of so much importance, that I cannot content myself with merely saying that I concur generally in the views of the noble Lord the Member for the city of London. I must ask permission to state my opinions. The question is, ought the Irish Poor Law to be altered and amended; ought out-door relief to be given, and to what classes of paupers? The hon. Gentleman the Member for Dublin asserted that if out-door relief were given, the owners of Irish property would be ruined, and that there ought to be no alteration in the Irish poor law. I ask the hon. Gentleman what was the object for which the Irish poor law was enacted? Has that object been attained? The object of the Irish poor law was to make sufficient provision for the relief of the destitute poor in Ireland. It was hoped that by providing security against starvation, a poor law would take away the motive to those agrarian crimes which had their origin in the fear of destitution, and which rendered life and property insecure in Ireland. It was likewise expected that a poor law would gradually diminish and ultimately put down the mendicancy that prevailed throughout the country, and which engendered and fostered habits of idleness and intemperance among the people. In this manner it was believed that a poor law would improve the moral and social condition of the Irish peasantry; and that its remoter consequences would be peace, good order, and security; whence would follow accumulation of wealth, influx of capital from this country, and the gradual development of the agricultural and commercial resources of Ireland; with ample and profitable employment for the people, who, ceasing to be a pauper tenantry, would acquire habits of steady industry, and become independent labourers for wages. These were the results which were anticipated by the original proposers and framers of the Irish poor law. Have any of these results been attained? Agrarian crimes are as common as ever; mendicancy universally prevails throughout Ireland. With an exportation last year of two millions of quarters of corn and other grain, with an exportation in the same year of one million head of cattle—in all sufficient food for two millions of people for one year—and with increasing deposits in the savings' banks, a large portion of the Irish peasantry would die of starvation were it not for the relief afforded by England. I contend, therefore, the Irish poor law has been ineffectual. I contend that the legal provision which has been made for the relief of destitution in Ireland is insufficient to meet the ordinary amount of destitution which exists in that country, and is therefore wholly inadequate for any extraordinary emergency. I come to this conclusion from an examination of the returns which have been laid before Parliament by the Poor Law Commissioners. Amongst those returns there is an account of the number of paupers relieved in the poor-law unions of Ireland, and an account of the expenditure thereby incurred; there are likewise similar accounts for England. On referring to these accounts, I find the most extraordinary difference in the number of paupers relieved, and the amount of poor-law expenditure in the two countries, as compared to their respective populations. Now, as I believe that there is, on ordinary occasions at least, as much real destitution in Ireland as in England—as I consider that the legal provision for destitution in England is not much too great—I am compelled to come to the conclusion that the legal provision for destitution in Ireland is much too little. In order to bear out this conclusion, I must beg the attention of the House whilst I state a few facts from these returns. In the year 1845, the Irish poor law was in full operation in 113 unions in that country. The population of those unions in the census of 1841, amounted to about seven millions and a quarter. In the course of the year 1845, about 112,000 paupers were relieved in them, or about fifteen in every thousand of the population received relief under the Irish poor law. In the same year in England and Wales, the number of poor-law unions was 585; their population in the census of 1841 was thirteen millions and a half; the number of paupers relieved in them during the quarter ending Lady-day, 1845, amounted to a million and a quarter; or about ninety-two in every thousand of the population received relief under the English poor law in the course of one quarter of a year. In proportion, therefore, to population, at least six times as many paupers annually receive poor-law relief in this country as in Ireland. In 1845, the expenditure upon the relief of the poor in the Irish unions was 300,000*l.*, or about 9¾*d.* a head of the population of those unions. In the English unions, the expenditure exceeded 2,760,000*l.*, or 6*s.* 6*d.* a head of the population. Thus, in England, on an average, every man, woman, and child annually contributes eight times as much for the legal relief of the poor as in Ireland. Sir, I think, as I have already said, that it cannot be denied that there is, on ordinary occasions, at least as much real destitution in Ireland as in England; it follows, therefore, either that there is not sufficient legal provision for the poor in Ireland, or that there has been absurd and lavish expenditure upon the relief of the poor in England. I do not think it necessary to inquire whether the expenditure under the English poor law has been extravagant. In fact, many persons consider that the administration of the English poor law has been too parsimonious; and that the great principle of the administration of that law is a harsh one, namely, that the condition of the pauper should be made less eligible than that of the independent labourer. Sir, I am quite of a contrary opinion. I maintain that that principle is a sound one. I consider that the Poor Law Commissioners have incurred unmerited obloquy on account of it; and in my opinion it should never for a moment be lost sight of in any modification of the Irish poor law. I recommend an alteration in that law simply on the grounds that, differing from the English poor law, it is insufficient for the relief of the ordinary amount of destitution which exists in Ireland. It may be said that the Irish poor law is of recent date; that it has not had a sufficent trial; and that if it were properly administered, it would be adequate for all ordinary occasions. I believe, Sir, that the Irish poor law has not been well administered; that the guardians of some of the unions have been very unwilling to relieve the destitute poor. In some instances they even refused to levy a rate and to open the workhouses. In other instances the guardians have refused to admit into the workhouses paupers who were clearly entitled to relief. I make these statements on the authority of the Poor Law Commissioners, who were examined last year before a Committee of the House of Lords. I have no doubt, Sir, that gradually the administration of the Irish poor law would improve; that the guardians of the unions would learn what were their duties, and would perform them; and that more relief would be given to paupers. But I contend that if that law were administered in the best possible manner, it would still be insufficient to relieve the amount of destitution which exists in Ireland, supposing, as I do, that the ordinary amount of destitution in that country is as great in proportion to the population as it is in England. This position can easily be proved, by a mere statement of the number of persons who could receive relief under the Irish poor law. Ireland is divided into 130 poor-law unions. In each union there is a workhouse. Out of that workhouse no relief can be legally given, or is given. Not only the healthy and able-bodied man who, it may be supposed, would support himself if he were willing to work and earnest in seeking for it; but the aged, the infirm, the disabled, the sick, the widow with her orphan children, all must enter the workhouse; and when the workhouse is filled, the law says let the remainder of the destitute perish. With such a law it is evident that there should be a sufficient amount of workhouse accommodation to relieve the ordinary destitution of the country. Does that amount of workhouse accommodation exist in Ireland? The Irish workhouses are calculated to contain about 100,000 persons; and it is estimated that with that amount of accommodation 200,000 paupers might receive in-door relief in the course of a year. If, therefore, poor-law relief be required in the course of a year for more than 200,000 persons in Ireland—that is, for more than twenty-four in every thousand of the population—it follows that the Irish workhouse accommodation is insufficient. Now, I have already said that in the English unions ninety-two in every thousand of the population received poor-law relief in the course of three months in the year 1845; as a considerable number of these persons were permanent paupers, it is estimated that fully one-third more, or 120 in every thousand of the population of England and Wales, received relief in the course of that year. I consider this estimate to be a low one; but supposing it to be correct, and assuming that the amount of destitution in Ireland is not less in proportion to population than in England, it follows that, with the present Irish poor law, it would be necessary, in order to relieve the average amount of Irish destitution, that there should be a fourfold increase in the amount of workhouse accommodation. It may be said, that by far the larger portion of the poor-law relief which is given in England is out-door relief, and that it was intended, under the Irish poor law, only to provide relief for an amount of destitution equivalent to that which is relieved in the English workhouses. This is true; and it appears to me to have been a great mistake on the part of the framers of the Irish poor law. Mr. Nicholls found that workhouses, which would contain one per cent of the population, were sufficient for all purposes of in-door relief under the English poor law; and thence he calculated that the Irish workhouses should be able to contain one per cent of the Irish population, or 80,000 persons. I have already said that the Irish workhouses will contain nearly 100,000 persons, and would thus afford relief, in the course of the year, to 200,000 paupers. This, then, would be sufficient workhouse accommodation for Ireland, if the Irish poor law were the same as the English; for I find that, during the quarter of the year ending Lady-day, 1845, the number of paupers who received relief in the workhouses of the poor-law unions of England and Wales was about 180,000; and therefore, in the course of the year, the number must have amounted to at least 240,000. The equivalent number for Ireland would be 140,000. For this number of paupers there is sufficient workhouse accommodation in that country. But that accommodation is wholly insufficient, if any considerable portion of those classes of paupers who receive out-door relief in England, are to receive relief in Ireland. Now, what are the class of paupers who receive out-door relief in England? Are they to be denied all poor-law relief in Ireland? Are they to be left to starve, or to depend upon the voluntary contributions of the charitable? I think I can show that they are as much entitled to poor-law relief as any other class of paupers. The Poor Law Commissioners have most properly, in my opinion, laid down very strict rules with regard to the giving of out-door relief; and they have enforced those rules in a large proportion of the English unions. They permit out-door relief to be given first to the aged and infirm—to persons wholly or partially disabled. Of this class about 300,000 persons received out-door relief during the quarter ending Lady-day, 1845. Secondly, to widows, and wives abandoned by their husbands, with children under the age of sixteen dependent upon them. This class consisted, in the quarters to which I have already referred, of about 50,000 women, and 140,000 children—in all 190,000 individuals. Thirdly, out-door relief is given to able-bodied persons on account of sickness or accident. Under this head, about 140,000 adults received relief in the quarter ending Lady-day, 1845; the number of children dependent upon them is not stated in the returns; they could not, however, have been fewer than 140,000. These three classes, therefore, make a total of 770,000 persons who received out-door relief in the poor-law unions of England and Wales in the quarter ending Lady-day, 1845. In addition to them, 290,000 other paupers received out-door relief in the course of the period in question. A large portion of these persons were without doubt vagrants and able-bodied men and women, to whom the Poor Law Commissioners endeavour as much as possible to refuse out-door relief; but a considerable number were orphans, foundlings, lunatics, and idiots. As, however, there is no specific return of their respective numbers, I shall omit them from my calculations. Confining myself, therefore to the three classes to whom the Poor Law Commissioners sanction and even command that out-door relief should be given, I repeat that of those three classes 770,000 individuals received relief in the poor-law unions of England and Wales, in the quarter ending Lady-day, 1845; and consequently the number for the year could not have been less than one million. Assuming that on ordinary occasions there is an equivalent amount of similar destitution in Ireland, these three classes would consist of 760,000 persons, for whom there is no sufficient provision under the existing poor law. Now, I ask, are such persons entitled to poor-law relief? I ask, are the aged, the infirm, the disabled, the sick, the widow, and the orphan, entitled to relief under a good system of poor laws or not? If they are, and you intend to relieve them under the existing law, then you must increase the number of your workhouses threefold. If they are not to be relieved, then are they to starve, or are they to depend upon the voluntary contributions of the charitable? Sir, I thought one of the first objects of an Irish Poor Law was to put down mendicancy, and to substitute an equal rate upon the whole property of the country for that most unequal tax which is levied by mendicants upon the charitable, and especially upon the poorer classes in Ireland. I have thus attempted to show that the Irish Poor Law is insufficient to relieve the ordinary amount of destitution which exists in Ireland. In order to prove this position, I have proceeded upon the assumption that, generally speaking, there is at least as much destitution in proportion to the population in Ireland as in England. I have shown that of the class who receive in-door relief in the poor-law unions of England and Wales, there must be at least 140,000 persons who would require relief in Ireland in the course of a year. I have shown likewise that of the three classes to whom the Poor Law Commissioners as much as possible confine the giving of out-door relief, there cannot be less than 760,000 paupers in Ireland who would require relief in the course of a year. Adding these two numbers together, their sum, 900,000, is a low estimate of the annual amount of the destitution in Ireland. Consequently, to relieve this destitution, either the number of workhouses in Ireland must at the lowest estimate be increased threefold, or the provisions of the Irish Poor Law must be amended. The question is whether the amount of workhouse accommodation in Ireland should be increased to the extent that I have mentioned, or whether the Irish Poor Law should be made similar to the English one? Though much might be said in favour of the former alternative, I think it must be rejected at once on account of the great expense it would entail. Without an efficient poor law, the wave of Irish destitution will break on the cities of our western coast, and, overwhelming them, spread pauperism and pestilence throughout the land. Now, the people of England are willing to make great sacrifices to assist the people of Ireland in the present emergency; but they justly expect that as the property of England must bear the burden of the pauperism of England, so the property of Ireland should bear the permanent burden of Irish destitution. I entreat hon. Members from Ireland to dismiss from their minds—to eradicate as speedily as possible from the minds of their fellow-countrymen—the notion that the people of England will consent permanently to support the poor of Ireland. Let them give up the vain hope of shifting the burden from their shoulders, and prepare manfully to support it. They cannot permit their destitute to starve. They must support them either by voluntary contributions or by an efficient poor law. Now, a system of voluntary contributions is the most expensive and unequal mode of relieving the destitute. For alms are given not only to the aged, infirm, disabled, and destitute, who would secure support under a good poor law; but contributions are levied from the charitable and humane by the sturdy beggar, too lazy to work; by the cunning impostor, who feigns misery; by the loud, and clamorous, and complaining, to whom the workhouse would be a sure test of destitution, and a strong stimulus to exertion. In addition, therefore, to the cost of relieving the destitute, a tax is levied for the benefit of the idle. That tax falls most unequally on various classes of society. It presses most upon the charitable and humane; it is a grievous burden upon the lower and poorer orders, themselves on the verge of destitution; whilst the higher and richer classes, especially those who do not reside in the country, escape. The remaining alternative is an efficient poor law. I have already stated what, in my opinion, should be the principle, and what the provisions of such a law. Without an efficient poor law, agrarian outrages will never cease—mendicancy and vagrancy will never diminish—life and property will never be secure—steady industry will never be known—and the Irish peasant will continue to be the most degraded and the most miserable being in Europe, annually on the brink of starvation, periodically famished—a disgrace to the empire, and a heavy burden to the industrious people of Great Britain. In recommending that the Irish Poor Law be amended, it must not be supposed that I think that a poor law alone would be a remedy for all the evils under which Ireland labours. Subsidiary measures are required even to give efficacy to the poor law itself. Mendicancy and vagrancy should be prohibited and punished. Neither the able-bodied man, nor the aged, nor the infirm, should be permitted to beg. For the aged and the infirm, the poor law should afford sufficient relief; and to the able-bodied man the poor law should offer the workhouse as a security against starvation; and the workhouse relief should be such as to render the condition of the able-bodied pauper decidedly less eligible than that of the independent labourer. But if it be right, as I believe it is, to employ such means to induce the able-bodied man to seek employment, and if he cannot find it in his native country, it is but just that he should be furnished with the means of finding employment elsewhere—I mean in the colonies. Therefore, Sir, in my opinion, in conjunction with an amended poor law, a measure of systematic emigration is required. I believe that a most effectual system of emigration might be carried on, at little or no expense to the imperial treasury, by applying the proceeds of the sales of waste lands in the colonies to the purposes of emigration. This plan has been submitted to the consideration of the House on several occasions by my hon. Friend the Member for Gateshead, by myself, and others. I will not, however, trespass upon the patience of the House now, by entering upon the subject of emigration, but content myself with observing that there are two problems to be solved with regard to Ireland, neither of which can be solved separately—the one is to make the able-bodied Irishman desire steady and continuous employment; the other is to give him that steady and continuous employment. An efficient poor law, and a law against mendicancy and vagrancy, may do much towards inducing the Irish labourer to work. Systematic emigration, and other measures, may open to him new fields of employment; but the Irish proprietors are the persons who must exert themselves, and must provide employment for the great bulk of the Irish population in the cultivation and improvement of their estates. It is said that a large portion of the Irish landowners are too poor—that their estates are so burdened by debts, mortgages, settlements, and other incumbrances, that they are merely the nominal possessors of those estates, and receive but a trifling portion of the rents. In fact they are bankrupts, and the existence of this class of bankrupt proprietors is one of the greatest curses of Ireland. They are unable to discharge the obligations imposed upon them by the seeming possession of their estates. They bring discredit upon their whole order, and upon all its members, however meritorious some of them may be. They must be got rid of. They must be treated as bankrupt merchants and tradesmen are treated in this country. Their estates must be sold, the proceeds divided between their creditors, and then it may be hoped that their successors will do their duty as landowners. Depend upon it, Sir, the salvation of Ireland can only be worked out by the efforts of Irish landowners and proprietors; if they exert themselves, are bold and courageous, they may convert the present hideous calamity into a great moral and social revolution for the benefit of Ireland, and the people of England will gladly assist them by every means in their power; but if they are fainthearted, craven, negligent, and apathetic, then God help them, for man cannot.

Mr. SHAW had risen after the noble Lord (Lord J. Russell) in the early part of the evening, as the noble Lord had so pointedly alluded to the deputation of which he had formed one, who waited upon the noble Lord on the subject of the Bill, and the noble Lord had even done him the honour to quote some observations that had fallen from him; and as he had not then caught the Speaker's eye, he had since had the opportunity of looking into documents which he thought had an important bearing on some of the remarks of the noble Lord. He was sorry the noble Lord had found it necessary to commence the proceedings of a Committee on the permanent poor law of Ireland by opening a general discussion on the present calamity with which Ireland was afflicted; and it afforded to his mind a further proof of the entire unfitness of the present occasion of excitement and uncertainty for the calm and deliberate consideration of that important—he felt, vitally important—question, a good permanent poor law for Ireland. Any temporary measure, however stringent, that the Government might have asked for the emergency, he would not have refused. As, however, the noble Lord had gone at length into the subject of the Irish distress, and a defence of the conduct of the Government in reference to it—he was bound to say that he had never joined in the outcry against the Government to which the noble Lord had alluded. True it was that the Labour-rate Act, the Temporary Relief Act, and the whole system then in operation in Ireland, were open to the gravest objections in principle, and necesssarily liable to great abuses and evils; but they had been only caught at in the midst of an unexampled emergency, when the cry was for life, and the object of the moment, at any hazard, to save the people from perishing of want. It was much easier, under such circumstances, to find fault with the measures of the Government, than to propose sufficient substitutes. He did not believe it was possible for a Government to supply the food of a nation. They must reverently regard a famine, such as then unhappily pervaded Ireland, as a visitation from Providence; and when famine or pestilence visited a nation, as when disease or death were sent to their own houses, they flew to every remedy to avert, and every expedient to alleviate them; but, after all, they could but humbly acknowledge that the issues of life and death were not in their hands. He could not make the same allowance for the noble Lord, in respect of the permanent measure then before them, either as to the time of introducing it, or still less for making a portion of it—that system which, he believed, the noble Lord for the first time in his life had ever advocated—namely, out-door relief to the able-bodied. It was against all the known opinions, all the recorded convictions, of the noble Lord. He could regard it as little less than a breach of faith towards Ireland by that House, but, above all, by any member of Lord Grey's Government, then to propose out-door relief for Ireland. He was one of those who, against the opinion of many of those with whom he generally acted in Ireland, had assisted in passing the existing poor law for Ireland in 1838; but should he, or any thinking man who knew Ireland, have done so, had it been supposed that in less than ten years, before the law, struggling with many difficulties, almost overcome by them, had had a fair trial—that it would have been attempted to superadd out-door relief to the able-bodied—a system which the noble Lord knew as well as any man had nearly destroyed both property and the poor in England? The noble Lord had referred to the English Poor Law Amendment Act, which at that time had been only four years passed; and he was ready to contend, not only from all the debates, the reports, and every concurrent authority of the time, but from the very terms of the English Act, particularly the 52nd Section, that the intention and policy of that Act was as soon as possible to put an end to out-door relief to the able-bodied in England. What did Mr. Nicholls, the Commissioner of the present Government, on whose reports the Irish Poor Law was founded, say upon that point? He said, in his second report—

> "To establish out-door relief in Ireland would be to act in direct contradiction to English experience, and to the spirit of the English law. It would introduce a practice in one country, under the prejudicial effects of which the other has long been suffering. It would be establishing different and opposing principles of action in the two countries; for out-door relief is at present only tolerated in England, as an evil unavoidable for a time, and which is to be gotten rid of as speedily as possible."

And Mr. Nicholls added—

> "The consequence of any such attempt must be in Ireland, as it notoriously was in England, not only to diminish the value and destroy the security of property, but also to demoralise the whole labouring population."

The noble Lord had referred at some length to the resolutions presented to him from the Peers and Commoners of Ireland who had subscribed them. He was one of that number—he had gone on the deputation to the noble Lord, and he was prepared to stand by those resolutions. The noble Lord had adverted particularly to the third—it was the all-important one, that which related to out-door relief to the able-bodied; and in answer to the noble Lord's challenge, he would take it under the two heads into which the noble Lord had divided it. The first was—

> "That the principle of out-door relief to the able-bodied labourers of Ireland has been condemned by the various Parliamentary Committees, as well as by the public officers appointed to consider this subject."

The noble Lord had rather slurred over that important point of authority; but he had, since the noble Lord spoke, refreshed his recollection of those authorities. The difficulty was in the multitude of them—for they ran in one uniform current—to know where to make a selection. If the House would bear with him for a few minutes upon that, the really vital point of the Bill, he would read some extracts, taken from different periods and the most authentic sources, and principally from the mouths of those persons who were likely then to be called upon to administer the very system they had unequivocally condemned. He found the first report on the subject, after the Union, in 1804, was against the introduction of such a system into Ireland, and declared it would be highly injurious to the country, and disadvantageous to the lower classes. The first recommendation of the Poor Law Commission, of 1834, upon which the English Poor Law Amendment Act had been founded, was—"That all relief to able-bodied persons should cease, other than in workhouses, which was the spirit and intention of the Act of 43rd of Elizabeth;" and they added an observation which applied with peculiar force to the case then before the House, namely, "That the bane of all pauper legislation was legislating for extreme cases." The Committees of that House of 1817 and 1819, upon the Poor Laws, and the Condition of the Poor, reported against out-door relief, to the able-bodied; but he was unwilling to trespass on the indulgence of the House by reading quotations from them. He could not, however, pass by the report on Labourers' Wages of 1824, because that was supposed to be the report of the noble Lord himself (Lord John Russell), and that stated, speaking of out-door relief—

> "That the worst consequence of the system is the degradation of the character of the labouring class. The principle of free labour produces industry, frugality, and sobriety; that of poor-law labour or out-door relief, idleness, imprudence, and vice."

That was the noble Lord's opinion in 1824. Again, the Committee of 1838, which had made a most voluminous inquiry on the subject, took the same view of out-door relief to the able-bodied, and declared—

> "Your Committee find, on the evils of out-door relief an uniform opinion has been expressed by the Committees of this House, and the reports all concur in deprecating it."

The last quotation on that subject with which he would trouble the House was from the report of the Lords' Committee of the last year, 1846, on the Irish Poor Law. It contained the following opinions of the best-informed persons on the subject of out-door relief. Mr. George C. Lewis stated—

> "My belief is, that the introduction of a system of out-door relief in Ireland would be a most disastrous measure. I think it would impoverish the rich, without improving the condition of the poor."

Mr. Senior said—

> "I believe, that if to the existing poor law in Ireland were superadded out-door relief, all the evils produced in England in 300 years, would be produced in Ireland in ten. It would be an entire confiscation of property."

Mr. Twisleton, the resident Commissioner in Ireland, gave on oath the following opinion:—

> "I conceive it would be a fatal step to introduce any system of out-door relief for the unemployed population of Ireland I am convinced it would be attended with the most disastrous consequences, and seriously aggravate the misfortunes of Ireland. I believe it is morally impracticable to devise a system of out-door relief for an agricultural population, receiving low wages, which shall place a pauper in a worse condition than that of the independent labourer."

Mr. Gulston and Mr. Clements, assistant commissioners in Ireland, fully confirmed the foregoing; and the Committee add—

> "That they concur in these opinions, and do not hesitate to say, that the introducing any system of out-door relief in Ireland would be dangerous to the general interests of the community, and especially to the interests of the very class for whose well-being such relief was intended."

Such, then, were his proofs that all the recorded authorities condemned the principle of out-door relief to the able-bodied. The second branch of the resolution in question was—

> "That the experience of the last twelve months, by which it has been shown how relief, even though accompanied with work, has interfered with ordinary agricultural labour, and endangered the future production of food for the people, demonstrates conclusively how much more fatally a system of gratuitous out-door relief to the able-bodied labourer will produce and perpetuate the same lamentable consequences."

He maintained that that was perfectly true, and it was only that day he had received letters from Ireland to the same effect, like many that he had before received, stating, that offers were made to the labourers on the public works of task-work, at a rate by which they might easily earn 10*s.* a week; but they preferred the laziness of the public works at 5*s.* He verily believed that nearly the whole of those now employed on the public works—and not much less than half the population of Ireland, were depending for subsistence on them—would fall upon the system of out-door relief about to be provided by that Bill; and, under that weight, the whole poor law must necessarily break down. The noble Lord seemed to think that the numbers likely to seek relief were not so greatly disproportionate to the rateable property as they really were. Look to a return published that morning, and it would be found that in six western counties, Clare, Galway, Mayo, Roscommon, Sligo, and Leitrim, the number of families of the whole population was 305,000; the men employed on the public works 257,000, and the entire rateable property 1,722,000*l.*: so that more than five-sixths of the whole population were depending on the public works, individually numbering about 1,300,000; and the entire property of the district would yield them about 27*s.* a head for their year's support. The noble Lord had not stated that the deputation had informed him that those whom they represented did not object to the right to relief in the workhouse, or to out-door relief to the permanently disabled, which the Bill provided; and that while they did object to out-door relief to the able-bodied, they were willing to bear any burden that might be necessary for affording increased in-door relief by adding to the workhouses. When the noble Lord asked, "What will you do if such another emergency as the present arises?" the answer was, that, at all events, the remedy of his Bill could not meet it—that a permanent poor law could not be adapted to an extreme exigency—and that you might as well mock a thousand starving men with the offer of one loaf of bread, as the millions that you would by that Bill lead to expect out-door relief from the Irish Poor Law, by sacrificing to them the entire rateable property of the country, assuming it to be all free from previous incumbrances. Notwithstanding all—despite of authority—of experience—of reason—the measure, he had no doubt, would pass. Many causes would combine to produce that result; but he verily believed there would be wanting from among them the calm and sober conviction of any one person who understood the subject, that the measure would serve the purpose it professed to have in view. Many would support it from a sort of unreasoning and desponding benevolence, as regarded Irish affairs; the Government were constrained by the pressure of circumstances, and the want of that intrinsic strength that could resist them, to propose a measure which he was persuaded they could not approve of; but the real and proximate cause was the clamour that was raised in England, and had found its way into that House, against the Irish landlords, and, indeed, against Ireland generally. He admitted the generous liberality of the English people towards the calamitous distress of Ireland; but at the same time, he must say, that the tone of the public press in England—of some Members of that House—and even of the legislation which he believed was about to be forced upon them, was very hard to be borne. He would not, on ordinary occasions, quote extracts from newspapers as authority in that House; but of late the language of some leading journals towards Ireland was so remarkable, so much concurred with the line taken by some Members in that House, and so disclosed the principle and motives by which he believed that Bill was urged forward, that he could not help referring to them. The leading journal of the metropolis day after day described the landlords and the people of Ireland as without hearts or feeling. The question, it said, before the Legislature was, whether

> —"the industrious classes of England were to sink into drudges and slaves for the sole purpose of maintaining the landlords of Ireland in disgraceful luxury, and the peasants in disgraceful barbarity and sloth:"

That—

> "Robbery was deliberately planned against that

> industrious nation; that the working men of England were marked out for pillage; and the Irish landlord was counting the millions he could extract from British industry, as coolly as the butcher anticipates in fancy the cutting up of his bullocks and sheep."

(The right hon. Gentleman also read an article from the *Tablet* newspaper.) He only had read it in consequence of the conclusion to which it came, namely—

> "When, therefore, we hear it urged as an objection to the poor laws, that a compulsory system of out-door relief will ruin the landlords, we answer, that this is its best possible recommendation;"—

an object which, he was obliged to say, he believed was shared in by many both in this country and in that House. The hon. and learned Gentleman the Member for Bath was not in his place, therefore he would not allude to that hon. and learned Member; but there were other Members in the House of whom he thought those representing Ireland had just cause to complain. Those Gentlemen seemed not to think it beneath them to rake up anecdotes of the private or domestic habits of particular Irish landlords, who had kept more horses or dogs than those Gentlemen approved of, and not given as much as they thought they should have done to the poor. He had no doubt that there were many in both countries who spent more than was necessary on their own establishments, who might otherwise have a considerable overplus that might be devoted to purposes of charity. But what would be thought of Irish Gentlemen, if they pried into all the residences of Grosvenor or Belgrave Squares, or the country seats of the English aristocracy; and then, when they found money spent in luxury or extravagance, that might be, at that time, given to the starving poor of Ireland, held up individuals who so acted to obloquy in that House, and exhibited them as specimens of the entire class of English landlords? ["Oh, oh!"] Yes, English Gentlemen might exclaim against that; but what he wanted to know was, if they would not bear such conduct from Irish Gentlemen, why were Irish Gentlemen to bear it from them? There were limits beyond which men of feeling and spirit could hardly be expected to submit. It would have been difficult to bear at any time; but it was peculiarly difficult, when they saw their people dying around them, to be called butchers, robbers, and wolves, ready to devour the poor, when their hearts were bleeding for the poor, and when those who made the charges were living in comparative ease, peace, and plenty in this country; while the Irish Gentlemen, their acquaintances, their friends, their families in Ireland, were spending their time, their every energy, their whole means, to alleviate the overwhelming misery that surrounded them; and were caring for, and weeping over, the poor dying people, when all their means failed to sustain them. They might easily succeed in destroying the landlords of Ireland; but the most sanguine, as well as the most spiteful Member of that House, might depend upon it, that if, by the means he was then deprecating, they ruined the landlord, they would equally demoralise the people—banish every hope of independence or self-reliance from amongst them—desolate Ireland with universal pauperism, and cause greater shoals than ever of her then more hopelessly miserable population to crowd the shores and seaports of England. He was a sincere and conscientious supporter of the Legislative Union; he never could see but one alternative—either an United Parliament, or a dismembered and separated empire. But this he must say, that, while he agreed with the noble Lord that the calamity which had visited Ireland had softened asperities in that country, and brought together those whom party differences and religious dissensions had before kept asunder, cordially to co-operate in administering to the wants and sufferings of their distressed and starving fellow-countrymen; yet, while he acknowledged the pecuniary liberality of England, he must assert, that the tone and temper of the public press and the public sentiment in England, as also in that House, towards Ireland in her present calamity, were such as he, though now no short time a Member of that House, had never before witnessed, and such as must have the effect of estranging the feelings of the different parts of the United Kingdom from each other. He was sorry to have trespassed so long upon the House, and to have felt bound by his duty, as an Irish representative, to express sentiments which might have been distasteful to English Members. He would not then observe upon the other provisions of the Bill to which the noble Lord had referred. He considered them unimportant compared with that of out-door-relief to the able-bodied labourer; and upon the principle of that provision he was determined, at the proper time, to record his own opinion, and to divide the House, small as might be the minority which would support him.

Mr. ELLICE reminded the House that the question which the noble Lord (Lord J. Russell) had put to the Irish Members of that House, respecting the principle of the present measure, had never yet been answered, still less had they stated how Irish destitution could be provided for out of the property of Ireland unless by some measure of the description now before the House. The right hon. Gentleman who had just spoken had entered into a long detail of the grievances which the landlords and the Irish nation supposed themselves to have a right to complain of from the present state of feeling in this country. He did think his right hon. Friend might as well have abstained from quoting opinions from certain journals of this country, which he knew were little shared by Members on any side of the House. The opinions of the *Tablet* newspaper, he was sure, were not shared by Members of any side of the House. But when the right hon. Gentleman went beyond this, and complained of the unjust feelings of the people of this country towards Ireland—when he said that not only the feelings of the Legislature and of the people, but the character of our legislation of late years, had been adverse to the interests and adverse to the character of his own country, he had surely forgotten what had been the course of that legislation. From the passing of the Catholic Relief Bill till now, measure had succeeded measure, granting, if not equal privileges on all occasions, as nearly equal as was consistent with the state of opinion in this country at the time; and the state of opinion had been so gradually but steadily progressing in liberal feeling towards Ireland, that he believed at this moment there were very few men, either in that House or in the country, who were not of opinion that the principle to be adopted in all our legislation for the government of Ireland, should be equal rights and equal privileges. With respect to the measure before the House, the right hon. Gentleman seemed to think that it was founded upon a feeling of hostility to the Irish landlords. If there was such a feeling existing with respect to the Irish landlords, he begged to ask the right hon. Gentleman whether there was not some ground for suspicion with respect to their conduct in the recent distress in Ireland? It was very convenient, perhaps, for the right hon. Gentleman to make a distinction between the resident and non-resident proprietors; but the public of this country looked to the proprietors of Ireland as a whole; and had a right to expect from them, as a whole, the fulfilment of their duty in the same way as it was performed by the landlords of England and Scotland. When he heard the hon. Member for Mayo describe a scene which had occurred in that county with respect to the cultivation of a portion of wild land by certain poor persons who were ejected the moment they had brought it into a state of fertility, in order to be placed in another barren spot, merely to resume their fruitless labour, to be ejected again in similar circumstances—when such statements as these were made, not by Englishmen, but by the right hon. Gentleman's own countrymen, did the right hon. Gentleman think that they would not produce an effect upon the feelings of this country? The proprietors of this country were heavily rated for the support of their own poor. He had been informed, for instance, that Lord Hood had been rated for his property, near Coventry, to the extent of 40*s.* an acre, in times of less distress than the present. Was it wonderful then, when the landed proprietors of this country were obliged to make such exertions for the relief of their own poor, and when they saw the consequences arising from the want of a proper system of relief for the destitution of Ireland, that they should turn round and say, "As the present system has failed, let us see whether a new system will remedy the evil?" This was the cause of the feeling of which the right hon. Gentleman complained. He called upon the right hon. Gentleman to reflect what this country was now required to do. The noble Lord (Lord J. Russell) had stated that he was called upon to raise large sums of money by way of taxation for the relief of Ireland. The public had also contributed largely, generously, and voluntarily, towards the same object. But, beyond this, we had at this moment the Irish poor pressing upon the rates of this country. The case of Liverpool had been often referred to; but let them also look to Bethnal-green and the west of Scotland, and they would find that three-fourths in some cases, and one-half in others, of the local rates were levied for the relief of Irish destitution, which was absolutely unprovided for at home. The right hon. Gentleman need not therefore have gone so far as he had gone for a reason why the people of this country were determined to put an end to this state of things. The public would hear with sincere gratification the statement of the noble Lord that evening. For himself, he had heard with great satisfaction the determination of a united Cabinet to carry this measure as a part of their policy towards Ireland. He had had no doubt on the subject himself; but the sincerity of the Cabinet had been doubted by others. He had even heard statements in that House impugning it, and he was therefore delighted to hear his noble Friend boldly assert that it was the determination of Government to carry through this great measure—a measure from the passing of which, whatever opinion the right hon. Gentleman (Mr. Shaw) might have upon it, he believed Ireland would date the commencement of her regeneration. The right hon. Gentleman had gone into a long statement of the reasons and arguments which a great many able men had adduced, who had generally concurred in lamenting the necessity, if not in resisting the enactment, of out-door relief; but since that opinion had been promulgated—and he did not stand there to quarrel with the reasoning upon which it was founded—but since that opinion had been promulgated, what had been our experience on the subject? Human nature could not be cut and carved with square and compasses to precise rules; circumstances must be taken as they arose; and this present measure would no doubt require revision from time to time to meet circumstances as they should arrive. He was content with it as a great step towards a better state of things; he did not pretend to say it was perfect. With respect, for instance, to the question whether rating should be by electoral district or by union, it would probably be found by experience ultimately that we should be obliged to adopt one rule with respect to the great towns, another with respect to the rural districts, and perhaps a third with respect to the rural districts where there were small towns. It might be wrong to separate a city like Cork into electoral divisions; but where a landed proprietor had been spending his whole life in improving his neighbourhood, it would surely be wrong also to ruin him by uniting this neighbourhood for rating purposes with that of a proprietor who had entirely neglected his tenantry. Experience would enable us to adapt the law to meet the varying circumstances of the country; but we must commence this great reform with some new system. One word with respect to a subject to which allusion had already been made—the state of the poor law for Scotland. The Government, it seemed, foresaw no necessity for an extension of this principle of out-door relief to Scotland. He must say, that he too saw no necessity at present; and he must admit, that much as he objected to the existing plan when it was proposed by the right hon. Baronet (Sir J. Graham), he had been more than satisfied with the working of it. This, however, might be partly owing to the good management of that very efficient officer, Sir J. M'Neill, in superintending the Board of Edinburgh; much remained to be done, and that law also might be found to require amendments and extensions. He thought that in the lowland districts of Scotland the time might be far distant when it would be necessary to extend the law with respect to relief to the able-bodied poor; he might probably have a different impression with respect to the highland districts. The noble Lord had rightly said, that the original principle of the Scotch law was probably the best upon which a system of poor laws could be founded. The persons entitled to relief were the impotent and perfectly infirm and destitute; the vagrants were very summarily dealt with; and the race of beggars that now infested Ireland was put down by the vigorous execution of the law; able-bodied men were not entitled to relief from poor rates; but every man upon every estate who was out of employment had a right to demand from the proprietor of that estate food in return for labour. That was the ancient poor law of Scotland, and better principles were not likely to be very soon discovered. He (Mr. Ellice) was convinced that the Bill before the House was not brought forward out of hostility to the landlords; but simply from a conviction that the destitution of Ireland must be provided for out of its property; and till he heard a better plan suggested for effecting that, he would support this measure.

Sir B. HALL: Mr. Speaker: When the noble Lord the Member for the city of London intimated to the House that it was the intention of Her Majesty's Government to introduce a Bill for the Amendment of the Irish Poor Law, and stated that it would contain clauses providing for out-door relief to the able-bodied poor under certain restrictions, he expressed an earnest hope that when that measure was brought forward, it would not only have the acquiescence, but the cordial support of hon.

Members connected with Ireland. I well recollect the very significant silence with which that announcement was received, and I was prepared for the opposition which was threatened on Monday last by the right hon. and learned Member the Recorder of Dublin (Mr. Shaw), and which he has manifested so strongly this evening. But, whatever opposition I could have expected—whatever might be the nature of the amendments to be proposed by the right hon. Gentleman—I never could have supposed that he would have made such attacks as he has thought proper to make upon my noble Friend at the head of the Government—attacks as unfounded as they are unjust, but displaying the weakness of the cause which is advocated so strenuously by the right hon. Gentleman. The right hon. Gentleman says that the noble Lord at the head of the Government has brought forward this Bill against his own conviction, and for the sole and especial purpose of ruining the Irish landlords. I was glad to find when the right hon. Gentleman uttered these sentiments, that they did not meet with any response from the House—that not one solitary cheer greeted such an assertion; and I will undertake to say that there is not a man, either in this House or out of it, however much he may differ from my noble Friend in political opinions, who would accuse him of such dishonesty of purpose, and such unworthy motives. The right hon. Gentleman complains of the noble Lord for having stated his views as to the future progress of this measure: he finds fault with the noble Lord and Gentlemen on this side of the House for having discussed the great features which are contained in the Bill. But what does the right hon. Gentleman desire? Does he wish a Bill of this nature to pass without discussion until he arrives at the clauses which he objects to? Does he think that he will stifle discussion—that he will prevent hon. Members expressing their opinions in this House, and letting those opinions go forth to the public through those channels of communication by which the public are daily informed of all our proceedings? I tell the right hon. Gentleman that this is the proper time for discussion. The second reading was passed almost *sub silentio;* and the only other period when a full discussion could with propriety and convenience be taken, is when the Motion is made for going into Committee. My noble Friend did right in opening the discussion. The right hon. Gentleman has followed him, and I will endeavour to reply to the right hon. and learned Gentleman. When we last discussed Irish subjects, the right hon. Gentleman made great complaints against those who had ventured to animadvert on the conduct of the Irish landlords. He said, "Do not deal in generalities. If there are such hard-hearted persons as you describe, if such landlords do exist, let us hear who they are—give us some instances—tell us your authority for the statements you make, that we may have the power of meeting you." And now to-night, fearing, I suppose, that we shall act as he desired, he tells us that it is wrong to enter into what he terms the intricacies of private life. But I accept the challenge of the right hon. Gentleman. I will give him names and circumstances, as he first demanded, and I will leave the House and the public to judge whether or not I had grounds for the accusations I made. I am most willing and ready to admit that there are some most excellent landlords in Ireland—men who are making the greatest sacrifices to alleviate the distress in their neighbourhood; and if I name such landlords as the Marquess of Londonderry, the Marquess of Waterford, and the Marquess of Lansdowne, as Members of the other House, and my noble Friend the Secretary of State for Foreign Affairs (Lord Palmerston), and my hon. and gallant Friend the Member for Donegal (Colonel Conolly), and say that they are amongst the best landlords in Ireland, I am sure they will not consider that I am disparaging their great exertions if I say that I believe that there are hundreds who are vieing with them in their works of charity. But I have no hesitation in saying that I believe the great body of landlords do not follow these bright examples; and with the indulgence of the House I will endeavour to prove this assertion. I will first begin with the boards of guardians; and these represent, to a great extent, the landlords in the several unions of Ireland. If any hon. Member will take the trouble to look through the Twelfth Report of the Poor Law Commissioners, which was laid upon the Table of the House last year, he will there find that they make the greatest complaints at the conduct of the guardians, in not opening their workhouses and levying rates after they had been compelled to open them. The Commissioners, after stating that they had great difficulties with the authorities of the Clifden union, announce that they had at last persuaded them to open the workhouse for the reception of paupers. In the cases of the Westport and Castlerea unions, they were obliged to press proceedings in the Queen's Bench for the purpose of making the guardians open the workhouses. The guardians at Westport showed cause against the rule. The guardians of Castlerea also opposed; and finally, when a rule for mandamus was made absolute, they passed a resolution to open their workhouses; and then, in defiance of the Poor Law Commissioners, struck a rate of only twopence in the pound. In the Tuam union, the guardians showed cause against the writ of mandamus; the Court gave judgment against the return, with full costs, and the guardians on the 20th March, 1845, put in course of collection the rate which was due in 1842. The conduct of the guardians, both in Tuam and Castlerea, was so bad, that they were dismissed by the Commissioners, and the boards dissolved. I will now proceed to show the House what has been the conduct of other boards. In the following unions only one rate was struck from the formation of the unions to the 5th of August, 1845: In Castlerea, one rate at 4½*d.* in the pound. Enniskillen, Kenmare, Listowell, one rate at 7½*d.* in the pound. Bantry, Killarney, Swineford, Westport, one rate at 10*d.* in the pound. Dunfanaghy, Inishowen, Lowtherstown, one rate at 1*s.* in the pound. The right hon. Gentleman may say, "Very true; but these unions have only been lately formed." That, however, is not the case; some of them were formed in 1839, and the most recent formation was on the 20th July, 1841. But when, upon a former occasion, I addressed the House on Irish subjects, I rose in consequence of a speech which had been just delivered by the hon. and learned Member for Cork (the cause of whose absence at the present time must be a source of much distress to his friends). That hon. Gentleman, after giving a frightful picture of the state of his country, proceeded to say that he considered the English landlords answerable for the lives of no less than two millions and a half of his fellow-countrymen. It was impossible for me to hear such a statement, and allow it to pass off in silence. I ventured to repudiate any such assertion: I said, that so far from the responsibility resting with us, that the landlords of Ireland had not done their duty—that England was doing every thing, and Ireland comparatively nothing. I showed to the House how unfounded was such an attempt to throw the responsibility upon us. I proved that in some unions the guardians actually refused to maintain even the in-door paupers, and that some of those union-houses were not nearly filled at that time; that the neighbouring districts and baronies were inhabited by men capable of paying their rates, and they had not paid them; and when I mentioned the unions of Castlebar, Ballina, Westport, and Ballinrobe, I was attacked for so doing by the hon. Member for Wycombe (Mr. Bernal Osborne), and the hon. Baronet the Member for Mallow (Sir Denham Norreys), for having made such selections. The former said, that they were not a fair example of what had been done in Ireland; and the latter made use of the courteous phrase, and told me that in citing these unions, and giving an account of the horrors which existed in Skibbereen, I was "pandering to the vicious taste of the British public, and that I ought, instead of citing four unions only, to look at what has been done in the other 126 unions of Ireland." I will proceed at once to the task assigned me; and when I have performed it, I will tell the hon. Baronet, and I will tell the House, what has been done in his own union of Mallow. I think the fairest way of meeting this object, will be to select certain counties in England, having the same rateable income as Ireland, and show what has been done here, and then compare with it what has been done in the sister country. I will make no particular selection. I will take the first thirteen counties in England, beginning with Berkshire, and ending with Gloucestershire, for I find the rateable income of those counties and the rateable income of the one hundred and thirty Irish unions was, in the year 1845, very nearly of the same amount:—In the thirteen first counties in England, taken alphabetically, the population amounted to 3,154,485. The annual income assessed to the poor's rate was 13,553,336*l.* The amount levied and collected for the relief of the poor, exclusive of police and county rates, &c., was 1,169,376*l.*; being about 8 per cent of the income; and the number of paupers relieved was 308,490, being nine per cent of the population. In the 130 unions of Ireland there is a population of 8,174,268. The annual income assessed to the poor's rate is 13,204,234*l.* The amount levied for relief of the poor was 298,813*l.*; being about 2¼ per cent of the rateable income;

and the number of paupers relieved was 125,774, being about 1½ per cent of the population. So that the result is, that whilst that portion of England having the same rental that Ireland has, pays 8 per cent to the poor, Ireland pays only 2¼; and whilst England, with a smaller number of paupers, relieves nine per cent of her population, Ireland, with a larger amount, relieves only 1½ per cent. But I will proceed another step, and I will show the two hon. Members that Wales, with a population of only 911,603, or one-ninth of all Ireland, and with a rateable income of only 2,854,618*l.*, or little more than one-fourth of the income of Ireland, expended in the same year 385,375*l.* for the poor, being more than 25 per cent beyond what was collected in Ireland; and if I chose to multiply instances to show the neglect of duty in the Irish unions, I could name counties in England paying more poor rates than the whole of Ireland. And now, I beg the hon. Baronet's attention, whilst I proceed to show what has been done in Mallow; and I must say, that when the hon. Baronet got up and accused me of "pandering to the vicious taste of the British people," and presented himself as a champion of Irish landlords, I was led to suppose that his own neighbourhood might afford a specimen of good management—that the landlords had done their duty—that want and misery were, comparatively speaking, unknown in the district—and if inquiry was made, I should find that Mallow was a bright example to all other unions. But what is the result? I hold in my hand a copy of the *Report of a Select Committee appointed to inquire into the statistics of Distress in the Parishes of Mallow and Rahan.* It it a printed document, and has been drawn up with great care by some of the most respectable inhabitants of those places. I shall have to make some quotations from this document, and I will at the same time fulfil my promise to the right hon. Recorder of Dublin. Before I do, I think it better that I should at once put the House in possession of the authorities I have for the statements I am about to make. The House has already been informed that a deputation of the Roman Catholic clergy came over to this country a short time since, for the purpose of having an interview with the noble Lord at the head of the Government on the subject of the Bill now under our consideration. These reverend gentlemen during their stay in this metropolis, did me the honour of waiting upon me, and they gave me the information which I am about to detail to the House. They assured me that I might most thoroughly rely on the accuracy of the statements, and relate every word without fear of contradiction. You have heard from several Members who addressed the House on Monday last, and who are acquainted with the Rev. Dr. Collins and the Rev. Justin M'Carthy, that they are most estimable and most respectable gentlemen. It would, therefore, be absurd in me to offer any further eulogy, or to hesitate in receiving their assurance of the truth of the statement I am about to lay before the House. I find from returns made to this House, that the parishes of Mallow and Rahan form part of the union of Mallow, and were so united on the 11th of March, 1839. The population of the whole union amounts to 63,282, and the rateable income is 122,709*l.* The rates struck, average annually only 5¼*d.* in the pound; but I have not any accurate statement of the amount actually collected. The committee of these two parishes of Mallow and Rahan, commence their report by stating the amount of destitution in certain lanes in the town of Mallow. They describe in one return sixty-six families, or 304 individuals, as not having any potatoes or fuel, whilst their clothing and bedding were bad, and, with few exceptions, they were without employment. The next return comprises fifty-three families, or 279 persons, in the same sad condition. And I wish the House to remark, that this state of misery in the town of Mallow existed previous to the summer of 1846. I will now point out what is the condition of the farming peasantry in the neighbourhood of Mallow. On the 8th of August, the committee of that town assembled, and examined one James Neagle, who says, that he lives at Ballymagooley, in the parish of Rahan, and that he is a farmer. He is asked—

> "Do the landlords of the district take much interest in the improvement of farming in your neighbourhood?—No interest whatever, except in getting the rent.
>
> "Do they give much assistance to their tenantry in improving or working their farms?—There are no tenants get any assistance, except the Rev. George E. Cotter.
>
> "Did you receive some assistance from the Rev. Rogerson Cotter?—Not a farthing.
>
> "Are you well informed on this subject? Do you think you would have heard if he had assisted his tenantry?—I certainly should, for there is scarcely a day that I have not some communica-

tion with his tenants. He has neither assisted them, nor given them any abatement in the rent. A tenant of his went to him last week, and told him that all his potatoes were black; and he said, 'If they are black, I did not blacken them," and told him that he did not want such people at all on his ground.

"What is the nature of the Rev. Mr. Cotter's land?—Nothing but bad mountain bog, which belonged to the people themselves a few years ago; and he being a man worth ready money, purchased their claim of grazing on the ground, then let it out at a very high rent.

"At what rate does Mr. Cotter let this land?—At from fifteen shillings to a pound an acre.

"What do you think is its proper value?—From three to five shillings an acre.

"Do the tenants get any assistance in reclaiming this land, in making ditches, or draining it?—No allowance whatever; but when the term of those who have improved the black bog, is out, the rent is raised on them five or ten shillings an acre.

"What is the principal food of the people in this neighbourhood?—Of late they have had nothing but Indian meal. I have often known them to have nothing but nettles and corn-kail, the weed that grows among the corn: a woman in Ballymagooly, about a fortnight ago, after she and her family had fasted twenty-four hours, broke her fast on meal of corn-kail.

"What is the woman's name?—Betty Barry.

"On whose property does she live?—Mr. Courtenay's."

I beg the House will bear this name in mind, because I shall have to mention it again in a few minutes. The examination proceeds:—

"Has Mr. Courtenay given any assistance to those poor people, who hold small houses from him in Ballymagooly?—After Mr. M'Carthy's letter, we heard his agent was willing to give employment, and was ready to engage twenty men. I therefore took up twenty men with me to his gate; but the steward told me they were not wanted, that it was only two or three women and small girls he wanted, for weeding. 'We only want two or three men for a few days,' says he.

"Is this all the assistance he gave to these starving people?—This is all.

"What is the amount of his property?—Many thousands a year."

I will now proceed to show what some of the landlords in these districts have done. [Mr. SHAW: Are there no bad landlords in England?] The right hon. Gentleman asks me if there are not any bad landlords in England? There are plenty of them, I have no doubt; but that is not the question before the House. The right hon. Gentleman has challenged me to produce some proofs of bad landlords in Ireland, and I will do so. The right hon. Gentleman said, the tone that was taken in this place about Irish landlords, was most distasteful to the Irish people. I beg to differ from the learned Gentleman; it may be distasteful to certain landlords, but I believe that the people are really obliged to those Members who will put the case clearly before the public, and the good landlords cannot find any fault with us for so doing. But first of all, I will read a letter from Mr. T. M'Carthy to the Rev. D. M. Collins, one of the deputation from the Catholic clergy assembled at Fermoy. The letter is dated, Mallow, March 2, 1847, and the writer says—

"Everything is going on pretty well, thank God, as far as the pressing duties of the parish are concerned. We have many sick calls; no day under thirteen or fourteen. Yesterday we had sixteen, seven or eight of which were in the poorhouse; but we manage to attend them all. Several have died since you left of starvation. I applied to the coroner to hold inquests on two of the most extreme cases, when of my own knowledge I knew death to have been caused by hunger and cold, and that too, under circumstances the most distressing of any I have yet witnessed. The husband dropped on the works, and was brought home—the wife was ill for some days previously. When I called, they were both lying on the same bed—the latter dying of *morbis pedicularis*, the most loathsome object I ever beheld—her whole face covered an inch thick with these disgusting vermin. The only coverings they had, were the rags they wore during the day, which scarcely sufficed for the decent covering of their persons. The wretched woman had not even a chemise. It was near ten o'clock when I visited them, and they were both corpses before morning. The coroner, on my application to have an inquest, informed me the coroner of the county had come to the determination to hold no more inquests on persons dying of starvation, the number had become so great of late."

I will now read an extract from another letter, dated Midleton, March 1st:—

"As to the amount of donations received from landlords from January, 1846, to January, 1847, deducting Lord Midleton's subscription, they are indeed very small. Mr. Courtenay, with a property of 6,000*l.* per annum, subscribed the munificent sum of 2*l.*; Longfield, of Castlemany, with a property of 10,000*l.* per annum, subscribed 5*l.* The landlords, if left to themselves, will suffer the people to starve."

The Rev. J. M'Carthy, in a note addressed to me says—

"In reference to Mr. Courtenay mentioned in the letter of the Rev. Mr. Murray of Midleton, though he has about 500*l.* or 600*l.* per annum in Rahan, near Mallow, he gave last year not one halfpenny to the relief fund. He has at his gate and on his property one of the most wretched hamlets in the county, and he feeds at this place a number of hunting dogs with meal and new milk so luxuriously, that the poor people often say, 'It would be well if we were Mr. Courtenay's dogs.'"

Mr. M'Carthy adds—

"Near 600*l.* were collected for the relief of distress in Mallow in 1846. One excepted, who gave 50*l.*, all the others owning landed property in the district gave only 74*l.*, though the annual valuation in the rate-book was about 30,000*l.*

I may now, however, state one bright exception. Colonel Gardiner, an officer who has distinguished himself most gallantly in Her Majesty's service, not having any land in the district, but only a mortgage, sent 50*l.*, and his servant also sent 25*l.* to his family. I have another letter from the Rev. T. Collins, dated Mallow, 3rd March, which corroborates the statement of Mr. M'Carthy. Mr. Barry, of Kanturk, also says—

"That up to the 1st March, the gross collection was 444*l.*; of this there was subscribed by the Society of Friends, 20*l.*, by the Central Relief Committee, 40*l.*, Lord Lieutenant's donation, 186*l.*; and Sir E. Tierney gave 100*l.*"

The other landlords he enumerates are, Mr. Longfield, with 6,000*l.* a year, who gave 15*l.*; Mr. Russell, 2,000*l.* a year, gave 5*l.*; Mr. Leahy, 1,500*l.* a year, gave 5*l.*; another Mr. Leahy, with 600*l.* a year, gave 5*l.*; and other landlords, having 13,500*l.* per annum, gave 25*l.*: so that at Kanturk these landlords, with 23,600*l.* per annum, gave only 55*l.* I could enumerate some other cases, but I will not trouble the House with them. But let us consider for a moment what was the condition of the peasantry in this district in the years 1824 and 1825, and let us see if any improvement has taken place at the present time. Mr. O'Driscoll, a barrister, who was examined before a Committee of this House in the former year, gives this following evidence:—

"Will you describe to the Committee, generally, the condition of the people, and their habits of living.—In that part of the country (county Cork) that I am best acquainted with, the condition of the people is the very worst that can possibly be. Nothing can be worse than the condition of the lower classes of the labourers, and the farmers are not much better. They have nothing, whatever, I think, but the potatoes and water—they seldom have salt."

The right rev. Dr. Doyle, Roman Catholic bishop of Kildare and Leighlin, also says:—

"What is the state of the lower orders of the people in your diocese?—I can safely state to the Committee, that the extent and intensity of their distress is greater than any language can describe; and that I think the lives of many hundreds of them are shortened by this great distress; it also enervates their minds and paralyses their energies, and leaves them incapable of almost any useful exertion. Thus they drag out an existence, which it were better terminated in any way than to be continued in the manner it is!"

And—

"R. De la Cour, Esq., county Cork: What is the condition of the peasantry?—Wretched in the extreme.

"Are the habitations of the people of that country exceeding miserable? Miserable, with very few exceptions."

That was the condition of the peasantry in the years 1824 and 1825. I will now show you their condition at the present day; and I beg the attention of the hon. Member for Mallow, for he ought to be well acquainted with the locality. The name of the tenant whose case I bring before the House is Michael Sullivan; he lives on the townland of Glounaviga, in the parish of Rahan, and the following statement is the result of a visit made to Sullivan and several other tenants, whose condition is precisely similar:—

"A high bank of earth appears to constitute part of the front wall and one of the gables of the cabin. The front and back walls of the cabin are five feet high. The doorway is not quite four feet. There are no windows, or window holes, in the cabin. When the door is shut the light is supplied through a large open chimney, and through the holes in the roof and the chinks in the door. The house consists of one small apartment. On entering the house two children started up, perfectly naked, from a bed of stones, raised like a blacksmith's fire-place behind the door. The stones are but thinly veiled, by a slight sprinkling of hay. This bed of stones is the only bed for the whole family. The only covering is an old sheet. It is now twelve o'clock. The children have eaten nothing since the previous morning. The mother is out amongst the mountains seeking food for the family. A child twelve months old, belonging to the family, died about a fortnight ago for want of proper food. The mother had no suck, and no means of procuring milk. The two naked children on the bed of stones look pale and emaciated. They are evidently sick. The writer asked for a chair. There is no chair: one is borrowed. He looks about for a table to write upon. There is no table fit for such a purpose. The bellows, "the universal" writing desk, is produced. The furniture of the cabin is one table, one coop, two pots, one box, one stool, two basins, and three plates, and the bed of stones and hay with the old sheet for a covering. Michael Sullivan, the occupant of the cabin, pays 1*l.* 15*s.* a year for his cabin, and 2*l.* 5*s.* for half an English acre of potato garden. He pays his rent with his labour at the rate of sixpence a day; it therefore requires, deducting the Sabbaths, 160 days, or more than half a year's labour, to pay for his miserable hut and his half acre of mountain bog. The mother from a distant mountain spied a crowd around her house, and fearing for the two children she left behind, bounded down the mountain and ran through bog and swamp to learn the cause. She arrived at the threshold of her own door exhausted, just as the writer was leaving it. Finding that her children were safe, she sunk down fainting on a heap of dry manure by the side of the door. A piece money was thrown into her lap. She did not seem to heed it, for her eye was directed towards the bed where her "treasures" lay. The family consists of husband, wife, and three children."

Could any one, after reading this tale of horror, get up and say that the Irish landlords were doing their duty? and could any one doubt the truth of this tale? I defy the most fertile imagination to invent such a recital; to paint such a picture it must be copied from real life. And what did the rev. Mr. Collins say, when I read this account, and expressed a hope that it was an isolated case—that surely such unparaleled misery could not exist generally? He said, "I assure you that this is not an isolated case. It is a fair sample of the peasantry in our part of the country." Such, then, is the condition of the people now, and such it was in 1824 and 1825, and so it will continue unless the landlords are compelled to do their duty. I will now proceed to show the House, not from any observations of my own, but from the writings of two of the most able Irish authors, what they thought of the conduct of the landlords of their own country. Dr. Swift, nearly a century and a half ago, in his causes of wretchedness in Ireland, under the head of an Irish squire, says—

> "Every squire, almost to a man, is a racker of his tenants, a jobber of public works, proud and illiterate; their tyranny and oppression are visible in every part of the kingdom, and they delight to see their vassals in the dust."

That was the opinion of Dr. Swift in the year 1710. Now, let us see what is said by a right rev. bishop, I mean Dr. Doyle—a man who was beloved and respected by all who knew him, and who, by his excellent conduct as a Christian minister, left a bright example to those who might come after him and occupy that high station in his Church which he so admirably filled—Dr. Doyle, about the year 1825, thus describes the Irish landlords. He says—

> "The Irish gentry has as many grades as there were steps in Jacob's ladder. Those of them who are possessed of large estates, and whose education and rank should lift them above local prejudices, and bless them with a knowledge of men and things, are, for the greater part, absent from the country; they know not the condition of their country, unless from the reports of their agents; some of whom, to my knowledge, are most excellent men; whilst others of them are unfeeling extortioners, who exercise over the tenantry an inconceivable tyranny, and are the very worst description of oppressors. The next class of our gentry are the men of large fortunes, who reside in the country, and are anxious to improve the condition of the people. Of this class there are several who cannot afford to make such sacrifices as would be necessary to enable their tenantry to acquire capital, or who have suffered their lands to be so divided and subdivided as that extreme want arises, almost necessarily, out of the numbers of the people, and the want of capital to afford them employment.
>
> "But the great mass of our little squires, who are called gentry, are men of much pride and little property, possessing a few hundred pounds a year. They are made up of every possible description of persons. I could delineate them accurately and minutely; but I think it better to state generally, that a great portion of these men are the very curse and scourge of Ireland. They are numerous, they are very ignorant, they are extremely bigoted, they are exceedingly dishonest, they tell all manner of falsehoods—and so frequently as to assume with themselves the appearance of truth.
>
> "In a word, they could not be intrusted with your honour or your purse, and multitudes of them have no regard for the sanctity of an oath; they are these men who often obtain the commission of the peace, and trade by it; who get all the little perquisites arising from grand jury jobs, who foment discontent, who promote religious animosity, who are ever ready to impose taxes, to share in their expenditure, to forward addresses, to pray for the Insurrection Act, or any other Act which might seem to oppress the people, and render permanent their own iniquitous sway.
>
> "These men oppress, and aggrieve, and insult the people; they affect to look upon them as of inferior condition, a conquered race, and whose rightful inheritance is slavery.
>
> "They see the people starving; but they see it unmoved. They behold them naked without a feeling of compassion; never having seen a peasantry enjoying comfort or independence, they have no idea of what that condition ought to be.
>
> "Without exaggeration, they are the slave drivers in Ireland, and very much resemble the beings of that description in Barbadoes or America."

So much for the Irish landlords, who seem to have improved as little in one hundred years as their peasantry in twenty years. [Mr. CALLAGHAN: But these are the squireens.] Be it so; but then, unfortunately, the squireens form a very large proportion of the landlords, and I doubt if they are always the very worst; but do not let the hon. Member think I am now giving my opinion: the opinions I have read are those entertained by Dr. Swift and Dr. Doyle, two of the most eminent men of his own country, and one of them a bishop of his own Church. We then come to the question—who is to maintain the poor; and out of what source are they to be maintained? This question has been asked twice before in this House, first, by the hon. Member for Montrose, and next, by myself; and no one has responded within these walls; but parties have met out of this House. I will now refer to four of them: first, we have the Repeal Association; next, "the Irish Party;" then, the great meeting of the Catholic Clergy of two dioceses at Fermoy; and, lastly, the Grand Jury of Westmeath. Let us for a moment consider the conduct of these parties; and, first, I will take the Repeal Association. The members of this body meet weekly, and make long speeches, and the question of a poor law is often a subject, not for discussion, but for condemnation. I was, therefore, extremely surprised on the last occasion that the hon. Member for Cork (Mr. O'Connell) came down to this House to hear him say he was going to support the noble Lord on this measure. The hon. Member for Mayo (Mr. R. D. Browne), who is also a member of the Association, told the House that he too was going to support the Motion of the noble Lord, and expressed his regret that it did not go far enough. This was the only fault the hon. Member found with the present Bill. The conduct of these Gentlemen seems to me most extraordinary. I have often read in the public journals the proceedings of the Repeal Association, and have always understood that body to hold two opinions: one, that repeal was a panacea for all the evils of Ireland ; the other, that the greatest curse she could have would be a poor law. I hardly know what course they are going to pursue on the present occasion ; but I remember perfectly well, that in 1837, when the Speaker put the question, that he should leave the Chair to go into Committee on the Poor Law Bill, the hon. Member for Cork (Mr. O'Connell) made a most able speech on the subject, objecting to it altogether, and moving that it should be considered that day three months. From that time to the present, with the exception of their recent speeches, those Gentlemen of whom I speak have been always the most determined opponents of a poor law for Ireland. They exclaim, "We don't care what provision there is for the poor of the country, we are the friends of the people, and, at all events, they shall not have a poor law." The hon. Member for Kilkenny (Mr. J. O'Connell), too, another member of the Repeal Association, said he was going to support the noble Lord at the head of the Government; but in one of those weekly catalogues of lugubrious complaints and grievances which were sent over to Ireland, addressed to the secretary of that association, the hon. Gentleman says, "I am going to support the new poor law, but I do not like it at all. I am entirely of the same opinion that I was before; nevertheless, I shall support it." Now, I think, if the hon. Gentleman really entertains these opinions, it would be much more manly, a much more straightforward, a much more statesman-like course to declare at once, "I care not for extraneous pressure, I will hold to my own opinion; I have always considered that a poor law would be a curse to Ireland, and I think so still, and I will vote against it." This would be intelligible; but the hon. Gentleman argues, "I cannot help myself; this Bill is forced upon me by the English Parliament, and I have no alternative." This is very poor reasoning. If the hon. Gentleman gives his vote in favour of the Bill, and if there is a division, and he walks out into the same lobby with my noble Friend, do not let him suppose the people will believe he is forced into such a course of conduct. His vote is his own voluntary act, and if he does support the Bill, I think we have a right to demand, if he has any influence in Ireland, that he will so exercise that influence as to ensure the advantageous working of the measure. The next party to which I will call attention is the "Irish party." Of all the strange mixtures ever met with or heard of, that party is the strangest. I never met anything like them. They remind me of an exhibition called the "happy family," that used to stand opposite the National Gallery, where they had birds and animals of the most opposite and contending natures living in perfect harmony. Upon the topmost perch of the cage too they used generally to see, seated in grave solemnity, a bird of wisdom that seemed to be the President of the Council; and so it used to be in Palace-yard. In that place there were Members of the other House of Parliament, from both sides of the Woolsack, and the cross benches into the bargain. There were also Members from both sides of this House. There Gentlemen of the most opposite principles used to be seen assembled in perfect harmony, and there used also to be seen a noble Lord, of lofty title, seated upon the highest perch, as President of that Council. "*Alte fert Aquila*" is the motto of the noble Lord—what were the resolutions they came to? Without attaching any improper motives to their proceedings, they seemed certainly inclined to get everything they could get for their own benefit; but when they came to the permanent measures that were to make them pay for the maintenance of their poor, they would not undertake to support any such plans. They sent a deputation to my noble Friend; and then, no doubt, the noble President of the Irish party, as he walked up Downing-street, sung "Happy Land!" The deputation is ushered into the presence of my noble Friend; he is presented in due form with a copy of the resolutions. The noble President of the Irish party states their object, and, "full of wise saws and modern instances," he cited reports of Committees of both Houses of Parliament to prove that the new Poor Law Bill would lead to the confiscation of property and the ruin of Ireland. My noble Friend asks, "If you object to my plan, what is to maintain the poor?" and one of the deputation answers, "The charity of the landlords;" and another adds, "But we cannot expect the same amount of charity another year that we have had in the present." But who, I ask, would desire that the poor of Ireland should be dependent on these landlords? I, for one, protest against any such dependence, and I think after what I have shown you of that charity, the House ought to distrust its very existence. I now come to the Roman Catholic clergy assembled at Fermoy; and I must say it was a most legitimate object for them to meet about; and if any one would look at the resolutions they passed, he would see that these rev. gentlemen had confined themselves strictly to the object for which they were assembled. They decided that the poor must have relief; first in the workhouses, and when those receptacles were filled, out-door relief must be administered. What was the consequence of these resolutions? Why, they found that as soon as it was ascertained these clergymen had decided in favour of "the curse of Ireland," the repeal panacea was heard of no more, and the Repealers came to vote for the measure. They saw also the Irish party dispersed, and an end put to all their demonstrations; and on Saturday last, when the chairman, Lord Monteagle, went to the meeting, he found nobody there but the hon. Gentleman who has just left the House (Mr. Smith O'Brien). It was a case of "dearly beloved Roger!" I now come to the Grand Jury of the county of Westmeath; and what do these gentlemen say? They pass several resolutions, concluding with this sentence:—

> "We deem it just that not only all classes deriving a direct income out of the land should bear their share of the poor rate, but also that all available reproductive capital, such, for instance, as the funds, should be taxed for that purpose, and that they should be made available for workhouse purposes," &c.

This is the opinion of the landlords of Westmeath! and I congratulate the Chancellor of the Exchequer upon having obtained his loan of eight millions before such doctrines were broached, if they could possibly have had any weight; but they are too absurd to dwell upon. I have now shown the House the views entertained by these parties; but in my humble judgment there is but one answer to the question, that is, that the land is the resource from whence the relief of the poor is to be obtained; and that those who derive a beneficial interest from the soil are the parties who must provide such relief. But the moment anything of this kind is broached by English Members, they are immediately told, "You are an English Member; you cannot by any possibility know anything about Ireland;" and they proceed to say, "The country is incapable of sustaining its present charge;" "land will be depreciated in value;" "property will be confiscated;" and "the amount of population is so great that it cannot bear any addition." But these are mere assertions, which are open to contradiction, and I will endeavour to refute them. They may be regarded as facts in Ireland, but they are looked upon as excuses and subterfuges in England. They may be subjects for discussion here; but unless they stand upon a firmer basis than that which I assign to them, they will not carry with them the conviction of truth. I have already shown you that the rateable value of property in Ireland is about thirteen millions and a half sterling. By a return circulated this day, we find that the average annual amount of rates ordered to be collected for the poor in that country is 5¾*d.* in the pound, whilst the rating in England is 1*s.* 7½*d.* Before such assertions are made, let the landlords rate themselves to the same amount, or to 2*s.* and 3*s.* in the pound, which has often been the case in this country. Then as to the depreciation of the value of land. There was a great sale of landed property in the county of Kerry, a few days ago, and subsequent to the introduction of this Bill, and although the estates were let at high rents, they fetched on an average twenty-seven years' purchase; and when a friend of mine (not a Member of this House) was complaining to me of the conduct of the Government in bringing forward this Bill, I advised him to sell his land if he feared the deterioration of its value, telling him he would get twenty-six or twenty-seven years' purchase for it. His reply was, that he should be very sorry to sell it at such a rate, and that if he did not get thirty years' purchase for it he would not be contented. Well, then, they said that the poor law would cause the land to be confiscated. I do not believe it. If a man holds his own title-deeds, and has his property clear, there is no fear whatever of such a result. But if people have been extravagant, and have mortgaged their properties up to their very hall doors, and are living on large nominal incomes, and have, in fact, but very little of those incomes clear, the sooner some change of property takes place the better; and whilst I rejoice to hear that the Lord Chancellor of this country, and the learned Gentleman who fills the same office in Ireland, are preparing a Bill to facilitate the disposal of encumbered estates in that country, I cannot refrain from expressing a hope that they will make the provisions of that Bill as extensive as they can be, compatible with justice and equity. Then, as to the population being too dense: I have no doubt that there are many gentlemen who fancy that the population according to extent is much greater in Ireland than it is in England. Such, however, is not the case. In England the number of acres is 31,770,615; and the population, 14,994,138, being one person to two acres and one-sixth. In Ireland the number of acres is 20,808,271; and the population, 8,175,124, being one person to two acres and one-fourth. It must not be forgotten also that there are vast tracts of waste lands which may be beneficially brought into cultivation, and which would afford employment and food to thousands of people. But then we are told that we must give more English capital. This is the old cry, which is now becoming too well known, and the fallacy of which is daily becoming more manifest. In the course of the debate on the noble Lord's Railway Bill (Lord George Bentinck), several quotations were made from a most admirable volume, written by Dr. Kane, on the *Industrial Resources of Ireland*—a work well worth the attentive perusal of every person, whether connected with Ireland or not. That learned author, in speaking of the Irish landlords waiting for English capital, says—

> "There is another circumstance so popularly counted on as a most material obstacle to the development of industry in Ireland, that I cannot leave the subject without briefly adverting to it—that is, the want of capital. This has been the bugbear of Irish enterprise. England has capital, Ireland has not; therefore England is rich and prosperous, and Ireland is poor and idle! But where was the capital when England began to grow rich? It was the industry that made the capital, and not capital the industry. An idle or an ignorant man will lose his capital, where an active or intelligent man will create a capital. We have our fields in barrenness, our mines unwrought, our powers of motion unapplied waiting for English capital. Labour is capital; intelligence is capital; combine them, and you more than double your amount of capital. With such capital England commenced, as Ireland must commence, and once that we have begun and are in earnest, there will be no lack of money capital at our disposal."

It would appear, then, that the Irish landlords have the best description of capital; and if they can be brought to believe that they must be dependent on their own resources, that England will not advance any more of her capital, or submit to such an unequal pressure of taxation as she now endures, I have no doubt they will find it for their interest to bring that capital into employment. I hear Irish gentlemen say, "We have the finest peasantry in the world:" I will not argue the point with them; but this I will admit, that they have the most patient, the most suffering, the most enduring peasantry in the world; and yet so rapid is the transition of their spirits from misery to mirth, that they are the gayest and most light-hearted peasantry in the world, exhibiting, at one moment, the extreme of abject want and wretchedness, and at the next, the height of gay good humour. And yet the landlords are not proud of the peasantry of which they boast so much: if they did take any pride in them they would cherish them; they would endeavour to ameliorate their social condition; they would improve their minds; they would enlarge their understandings; they would elevate their feelings; they would teach them that to live and board with swine was degrading to human nature; that man was intended by his God for higher and for loftier purposes; they would teach them to respect the laws, and not to screen, but rather to deliver up the malefactor to the hands of justice. Why do they not do all this? Because they are not proud of their peasantry. But if they would attempt it I am sure they would succeed; it is a task not difficult to accomplish; and what would be the result of this most laudable, most desirable, and easily attainable object? They would be happier, because they would see those around them happy; they would be more prosperous, because they would derive essential gain and benefit from the prosperity of their peasantry. Instead of being greeted with low and ominous murmurings, they would meet with loud and ardent welcomes. They would strike the murderous weapon from the hand of the assassin, and replace it with the implement of husbandry, and each day they would take a still increasing pride in the peasantry, because they would see them improving in happiness and in virtue under their own superintending, fostering care. The noble Lord, in the admirable speech which he made at the opening of this debate, spoke of the dark cloud which now threatens Ireland. I see also a sad prospect for this country; but I agree with the noble Lord that there is no cause for despair. I believe that if the noble Lord is warmly supported by his friends, if he receives assistance or meets with forbearance from hon. Gentlemen opposite, who may in certain cases be politically opposed to him, and merge all minor differences; I do believe that the noble Lord, guided by his own good sense, and aided by that boundless extent of moral courage which throughout the whole political life of my noble Friend has so characterized his conduct and actions, will not only be able to meet but to surmount the difficulties that at present beset the country. I expect that great benefit will result from the passing of this measure—I consider that it is necessary for the salvation of Ireland. But whatever may be the result, whether it will equal or surpass the most sanguine expectations of its warmest supporters, of this I am firmly convinced, that a good example on the part of the Irish landlords —a determination to ameliorate the condition of the peasantry, and an anxious desire to identify their interests with those of the people, will tend more to the regeneration of their country than any Act of Parliament, whether it emanates from an imperial or from a domestic Legislature.

Debate adjourned.

DRAINAGE OF LANDS.

On the Order of the Day being read for the consideration of the Report on the Drainage of Lands Bill,

SIR G. GREY announced the determination of the Government to restrict the sums advanced to 10,000*l.* instead of 15,000*l.*

CAPTAIN GORDON complained of the sum being so restricted.

SIR J. GRAHAM thought the Government were entitled to great credit for the course they had taken; the intention being, as he understood, to benefit the yeomanry, and not the large proprietors.

Report agreed to.

Bill to be read a third time.

House adjourned at One o'clock.

HOUSE OF LORDS,

Monday, March 15, 1847.

MINUTES.] PUBLIC BILLS. *Reported.*—Consolidated Fund; Loan.

PETITIONS PRESENTED. From Portsmouth and other places, for the Total Abolition of Corporal Punishments in the Army and Navy.—From Selby and several other places, against the proposed Plan of Government Education.—From the Hendon Union, for Alteration of the Law of Settlement and for a National Rate.—From Beverley and other places, for the Repeal of the Poor Removal Act.—From Guardians of the Saint Germans' Union, for the Adoption of a Measure making the Landlords of Tenements not exceeding Six Pounds liable to the Poor's Rate.—From Justices of the Peace of Kingston-upon-Hull, for a Committee to Inquire into the State of Criminal Offenders, especially Juveniles, with a view to ascertain the best Means for the Reformation of Criminals, and for their Restoration to Society.—From the Grand Jury of the South Riding of the County of Tipperary, for some Enactment that will prevent the Indiscriminate Sale of Fire Arms; and for the Adoption of a more Extensive System of Railways in Ireland.—From Ballymackney and several other places in Ireland, for the Introduction of such Legislative Measure as will afford to the People of Ireland the Means of Emigrating to one of the Colonies.

THE GOVERNMENT PLAN OF EDUCATION.

LORD BROUGHAM presented a petition from certain Protestant Dissenters residing at Bard Bush, in the county of Wilts, complaining of the proposed Government plan of education as not being equally advantageous for the dissenting body as for other classes in the community. He begged to have it understood that he did not at all concur with the petitioners in their view of the question. He did not think there was any ground for their complaint.

The MARQUESS of LANSDOWNE entirely agreed with the last sentiment of the noble and learned Lord. Nothing could be more unfounded than the jealousy exhibited of the Minutes of the Council of Education, or the apprehension that they would give to any one class of religionists an advantage over any other. There was nothing in the Minutes which was calculated to exclude Dissenters from a full participation in the benefit to be derived from the system adopted by the Government. He would not be in the least surprised, nor in the least indignant, at the expressions of uneasiness and jealousy which were contained in some of the petitions which were laid on their Lordships' Table, if the statements they contained were true. But the fact was not so. He had seen a circular letter sent round for the purpose of inducing persons to attach their signatures to such petitions as the present; but the statements which this document advanced were totally different from those of the Minutes. The statements in the letter were to the effect, that the Government plan would secure a monopoly for the Established Church in matters of education ; but there was no foundation for any such allegation. The fact was, that there was no one benefit which those Minutes were intended to confer on the community at large which was not fashioned in such a manner as to make it acceptable to all sects without distinction. He thought, therefore, that he was justified in asserting that the Minutes were founded on the principles of religious liberty, and that there were no grounds for saying that they secured for the Established Church any advantage which they did not bestow on other classes of religionists.

Lord BROUGHAM had also seen the letter the noble Marquess referred to, and was quite astonished at it, as its allegations were directly contrary to the truth. He should, perhaps, be worse thought of than the noble Marquess for saying it; but his objection to the Government plan was, that it did not establish a more general and national system of education, with more interference on the part of the Church. There would not have been a greater clamour against it from these worthy persons than against the present scheme, and the country would have gained something for its trouble, whereas now it got little or nothing. He remembered well that, in the years 1820 and 1821, his Parish School Bill was borne down by similar complaints. The cry was, that the Church supported it, and immediately the Dissenters got alarmed, though the only interference permitted to the Church in that Bill was to give the parson a veto in the choice of the parish schoolmaster. Even this, however, was not permitted in the present educational plan. Between the two parties, Episcopalians and Dissenters, education fell to the ground; for, although both professed to be anxious for it, each seemed more desirous of some petty victory over the other.

SALE OF FIRE-ARMS (IRELAND)—EMIGRATION.

Lord STANLEY was anxious to call the particular attention of their Lordships to three petitions of an important character, which were intrusted to him for presentation. They were signed by the High Sheriff and the whole of the grand jury of the South Riding of the county of Tipperary, and related to three questions which had especial reference to the present state of Ireland. The first had reference to the unrestricted sale of fire-arms in that country. The petitioners stated that they, in common with Mr. Justice Jackson, the Judge of Assize, viewed with unaffected alarm the unprecedented sale of arms in the towns of Clonmel and Thurles. They introduced into their petition the report of the constable of the district to his inspector, in which it was stated that fire-arms were sold, on market and fair days, in those towns, by dealers, at prices varying from 2*s.* 6*d.* to 30*s.*; that so great was the demand that the manufacturers in Birmingham were unable to make guns and pistols quickly enough; and that a very large proportion of those sold in the county of Tipperary were second-hand fire-arms, which were procured at the pawn-offices in London. It was also stated, on the same authority, that the purchasers were, in a vast number of cases, of the very lowest class, and that, in some instances, they were servant boys and peasants employed on the public works. Private advices which he (Lord Stanley) had received from unquestionable sources, fully bore out those statements. One faithworthy correspondent assured him, that at an auction of fire-arms, which took place on a market day in the open street at Clonmel, the auctioneer handed out the arms as receipts in full for the last November gale, and warranted them to bring down an agent at 150 yards. [*Laughter.*] It really sounded ludicrous, and might provoke a smile, were it not that the consequences of permitting this unrestricted sale of deadly weapons might be most disastrous. The interference of the Government was called for, and could not be dispensed with on the plea of its being an ordinary case of interference with an ordinary traffic; for the traffic was an unexampled one, and its consequences might be in the last degree mischievous and calamitous. The petitioners declared their belief that the system was fraught with the most ruinous consequences, and that it was highly dangerous to the security of life and property. They begged that some enactment might be passed to prohibit the indiscriminate sale of fire-arms, and to prevent their falling into the hands of improper persons. The intelligence which he had received from private sources, he had again to state, was of the most alarming kind. He was credibly informed, that in a district with which he was very well acquainted, and where men were employed on the public works, some of the persons who were usually so engaged were found in the middle of a field practising with balls at a hat on the top of a spade-handle. Every hit they made was received with loud cheers. It should be remembered that the persons who were thus engaged were men who were receiving public pay upon the public works. The second petition he had to present was from the same body, stating their opinion that the introduction of railways on an extensive scale into Ireland, would be attended with the happiest results, and that they, therefore, earnestly recommended the measure to the consideration of Government. The third petition was also from the same petitioners, who recommended a grand and extensive system of emigration under the auspices of the Government. He was of opinion that, as an accessory measure to make practical and safe the great experiment in which the Legislature was engaged, emigration might be carried on for the relief of particular overburdened and pauperised districts; but he wished it to be understood that he was not by any means prepared to go the full length of the petitioners, because he was more fully aware than they could be supposed to be of the great difficulty of carrying the object into execution, and of the danger which would result to this country and to the colonies if the Government were to endeavour to carry into any of our dependencies an exorbitantly large amount of absolutely destitute persons. Local efforts for local emigration were all very well, and Government would do well to give all possible encouragement to proprietors who wished in this manner to relieve their estates from the surplus population. Government officers, both here and in the colonies, should do what they could to guide, counsel, and assist such emigrants on their arrival in the colonies; but the idea of relieving Ireland by a gigantic system of emigration under the auspices of Government was a delusive hope.

LORD BROUGHAM entirely agreed with the noble Lord who had just sat down, as to the absolute impracticability of a system of general emigration under the superintendence of Government. Any general depletion of the system, such as that referred to by the noble Lord with regard to Ireland, he did not believe to be possible. If there were any means of ascertaining the number of marriages that had taken place in that country during the last six months compared with the corresponding period last year, some light might be thrown upon this subject. He was apprehensive that if they took away a large number of the population as it was proposed to do, they would in a short time be found swarming just as thickly as at present.

LORD STANLEY wished to know whether there was any truth in a statement which had obtained publicity, that, in consequence of the vast influx of emigrants into the State of New York, it had been found necessary by the legislature of that State to impose a tax or fine on emigrants when they arrived there? If such a tax had been imposed, notice of the fact ought assuredly to be given to those who contemplated going out.

EARL GREY believed the truth to be that a measure of the kind alluded to by the noble Lord had been submitted to the consideration of the New York legislature; but whether they had as yet affirmed or rejected it he was not in a position to say. The measure was first proposed in consequence of some abuses which had occurred in connexion with the number and quality of emigrants to that place, not from English but from German ports. Persons entirely destitute, and wholly unable to work, were thrown on the quays of New York in an utterly helpless condition, and the legislature he believed, had felt themselves called upon to interfere. But he understood that so far as legitimate emigration from this country was concerned, no obstruction whatever would be thrown in the way. At the same time he concurred with his noble Friend opposite, that if this country were to adopt any measure for the indiscriminate importation of large numbers of destitute persons to New York, such a course would be met there with prompt measures for restriction—measures in fact, of self-defence. The same thing would, no doubt, be done also in our own colonies. As at present conducted, however, emigration was felt to be a great blessing, both to the emigrant and to the place to which he emigrated. He had held much communication upon the subject with Lord Elgin before he went out to North America; and the attention of that noble

Lord would be directed as much as possible to the arrangements for the reception of emigrants when they arrived, and to the development of the facilities which Canada possessed for the absorption of labour—a power which was increasing almost in a geometrical ratio, because many of the labourers who went out there became, after a few years, settlers on the land, and able to give assistance in work to new comers, so forming a constantly widening circle. He had no doubt that the measures begun by his noble Friend the present First Lord of the Treasury, when he filled the office of Colonial Secretary, and carried forward by his noble Friend opposite in the same office, for the systematic distribution of emigrants, would operate very advantageously upon the very large emigration of the present year, which, as far as it had gone, exceeded threefold the emigration of last year, and that the persons now going out would be able to establish themselves successfully and with advantage in the colonies.

Lord ASHBURTON was disposed to afford greater facilities to emigration from Ireland than either of his noble Friends who had addressed their Lordships. If the Government could not bring food to the people, they should, at least, carry the people to the food. He was intrusted with a petition to their Lordships upon the subject of emigration. The petition proceeded from 1,500 of the poorest description of cottiers in a barony of the county of Monaghan. These persons might be called squatters—they sat themselves down upon a piece of land, and as long as the potato could be raised, they continued to drag on a miserable existence; but, now that the root had failed, they were left absolutely without any means of supporting existence. They, therefore, approached that House for the purpose of praying their Lordships to afford them facilities for emigrating to the colonies, and they represented that the cost of maintaining them and their families during the ensuing eight months would exceed the cost of their emigration. All he wished to impress upon the House and Her Majesty's Government was, that seeing great numbers were at present going out of this kingdom to our American colonies, great care should be taken to prevent the emigrants suffering any greater hardships on their landing there than could well be avoided, so as not to discourage the continuance of emigration in future years. He also begged to remark, that the number of emigrants which was permanently absorbed by Canada was comparatively small. The greater portion of them went westward, to Ohio, Indiana, Louisiana, and the other States bordering on the Mississippi, and which were at this moment sending Indian corn to feed the people of Ireland. It was a mistake to suppose that the State of New York would take any steps to prevent the landing of emigrants. He doubted if they had any power by law to interfere with the landing of emigrants, or with the importation of anything into the State whatever. What was done was, to oblige the captains who carried paupers over there to give security against their coming on the parish. Before he sat down he might also observe, that he thought there was little to fear from the increase of population in this country. On looking at the Registration Report for England, he found that the excess of births over deaths, on an average of the last three or five years, had not exceeded 150,000 or 160,000 a year. Now, admitting that there was a considerable absorption of persons born in this country into our colonies and dependencies, it was impossible that more than 100,000 of these could die out of this country, so that there was nothing in the facts brought out in the registration reports to lead to an apprehension of any great increase of population. The returns might be wrong, but such was the impression derived from them.

Earl FITZWILLIAM wished to put a question or two to the noble Lord relative to the petition he had just presented. He understood the petition to come from 1,500 persons. Now, he wished to know if those were all heads of families? [Lord Ashburton: No.] He wished also to know if the noble Lord could give their Lordships any information as to the proportion which the whole number of petitioners bore to the total population of the district in which they lived? Also as to the average size of the holdings which they occupied. [Lord Ashburton: They are all cottiers.] He was aware it had been stated they were all cottiers, but they might be cottiers of a few acres or of many acres.

Lord ASHBURTON said, they had no holdings at all. He could not inform the noble Lord as to the exact proportion of the petitioners to the population, but the number of families was 390.

Lord BROUGHAM: They all sign in the same handwriting, I see.

LORD MONTEAGLE remarked upon the necessity of instituting a general system of registration in Ireland. Unless there was a census, which could only be had by a general registration of births, marriages, and deaths, the enumeration, must not only be incomplete, but worthless as a comparison of the population of one period with another. He trusted that Government and the Parliament would attend to this matter. He thought the observations of his noble Friend opposite (Lord Stanley) would be extremely useful in setting this question of emigration in its true light, neither sanctioning an unreasonable estimate of its powers, nor discouraging a moderate appreciation of its utility. His noble Friend had done much to remove the delusions as to the vast scale on which a system of emigration might be conducted, which had been propagated through the country; and on the other hand he had impressed the importance of the subject upon those who were too little disposed to rely upon the efficacy of emigration in relieving the most oppressed districts. It was true there would be a great emigration this year—the greatest, he believed, ever known—but, at the same time, he (Lord Monteagle) doubted whether for the purposes which were in contemplation, the description of emigration now going on would be of peculiar efficacy. Thousands, perhaps hundreds of thousands, might go out; and he wished their Lordships to direct their attention to the character of the emigration now in progress unaided, as compared with that which might go on if encouraged. The emigration at present was that of parties possessed more or less of a given amount of capital. Now it was as plain a demonstration as any ever ventured upon, that if a given number of emigrants removed from a district a larger amount of capital than was proportionate with their numbers, the labour fund in the country they left would be diminished by their removal, and that the condition of the country, in place of being improved, would be deteriorated by their emigration, and, therefore, that what was called voluntary emigration, or the emigration of capitalists carrying their own money with them, was anything but a remedy. Whether the petitioners represented by his noble Friend opposite were connected with such localities he knew not; but there certainly were districts in Ireland in which the extent of the population was such that they could not undertake the slightest improvement of the land unless assistance were given for emigration from those districts. And that, he contended, had been the original intention of the framers of the Irish poor law, for it had been stated, by Lord Melbourne's Government, that they looked to emigration as a collateral resource to assist the working of that law. In meeting the present crisis in Ireland, he would not rely upon the free emigration now going on. He believed that more would be required than even the careful superintendence alluded to by the Secretary of State, and that more active assistance must be given in particular localities. It was of the greatest importance, with a view to the proceedings of next year, that some definite plan should be laid out—that people might know what they might rely upon in future—that the minds of the Irish people should be withdrawn from this subject of emigration if it was a prospect never to be realized; or, on the other hand, that it should be put before them in a proper and substantive form, if it were in any way to be depended upon.

LORD STANLEY hoped he would not be understood by anything he had said on this subject as having deprecated emigration. On the contrary, he considered it a matter of the utmost importance. He was not disposed to look with apprehension on any scheme of emigration, even under the circumstances of the present time, which could be promoted by the local exertions of landed proprietors, or by the poor rate; and he trusted, that in the Poor Relief Bill, at present before Parliament, some provision would be introduced for the encouragement of emigration. But what he wished to guard the House against was the delusive anticipation that the Government could interfere for the purpose of paying for the removal of such a number of persons as would produce a sensible effect on the population of Ireland. He felt certain that such an interference by Government would produce nothing but mischief.

The EARL of DEVON presented a petition, proceeding as from the other half of the same barony, and signed by 1,400 cottier tenants, praying for the means of emigration. The noble Lord then stated, with reference to a statement made the other night by the noble and learned Lord opposite (Lord Brougham), that half-a-crown a head had been paid to certain emigrants coming over from Ireland to Liverpool, and other places in this country, that he (Earl Devon) had received two letters on this subject, one from an emigration agent, and the other from a gentleman very well known, representing that the half-crown in question was almost invariably paid to these persons by the emigration agents before they left Ireland, and that it formed part of a larger sum which the agent had to pay them.

EARL GREY: Not a public agent?

The EARL of DEVON: No. He meant the agent of a private house. The agent said, that he had paid 7,000*l.* to different persons about to emigrate, and holding orders for sums from their relations who were abroad, and had invited these persons to go over, furnishing this money in aid of that purpose. The half-crown in question was a part paid to them, before they left Ireland, of the larger sum.

LORD BROUGHAM said, he had a letter from a gentleman of very high official authority at Liverpool, who had made inquiry into the subject. He said, that in many instances he found that the passage-money had been paid for the emigrants—of course in Ireland; that in others they had paid it themselves, and in no case whatever had he found any of the proprietors of steam vessels paying it—for that was one account. In the case of one ship 75*l.* had been paid for 610 persons, which would be about 2*s.* 6*d.* a-head. There were two classes of emigrants from Ireland to Liverpool, totally different from each other, as his correspondent, Mr. Rushton, wrote. One class paid themselves, and the others had it paid for them; the class of emigrants going to America would be paid by the emigration agents. He would add, that he thought this subject of emigration one of the very greatest importance. It was one of the most difficult questions to deal with in point of principle, speculatively or practically, in the whole range of political science; and he might go so far as to say that it was one of pressing importance in the present state of Ireland and our colonies, which were suffering from want of hands, and crying out for a supply of labour. He found that the amount of the emigration from Liverpool to America bore a very considerable proportion to that from Ireland to Liverpool. Nearer 8,000 than 7,000 emigrants had left Liverpool for America within a comparatively short period.

The EARL of MOUNTCASHEL hoped Government would take up the subject. It should be recollected, that the cost of maintaining a pauper for one year at home would be as great as that of taking him out to the colony for which he might be destined, and settling him there.

The EARL of RIPON agreed that the subject was of the greatest possible importance. He had no doubt whatever that this resource of emigration, managed judiciously, might not only very materially alleviate the pressure of existing distress in Ireland, but contribute to fix on a firmer basis the new system proposed to be introduced. In the United States there had been symptoms observable of a disinclination to receive emigrants from Ireland, which it was not likely would be lessened under present circumstances; so that it was probable facilities could not be found for carrying on a systematic emigration to any part of the world that was not under the control of the British Government. Whether as regarded Australia or the Cape of Good Hope, he feared the number that they might expect to see absorbed would be very small. The same observation did not apply to Canada, and he thought it an object of great importance that the attention of Government should be applied to establishing a well-regulated system of emigration directed towards that important colony.

Petitions laid on the Table.

House adjourned.

HOUSE OF COMMONS,

Monday, March 15, 1847.

MINUTES.] PUBLIC BILLS.—1° Marine Mutiny; Mutiny; Commons Inclosure; Holyhead Harbour.

2° General Register House (Edinburgh).

3° and passed:—Drainage of Land.

PETITIONS PRESENTED. By Mr. Gisborne, from Nottingham, for Repeal of the Tithes Commutation Act.—By Dr. Bowring, from London, for Inquiry respecting the Rajah of Sattara.—By Sir T. Acland, from South Molton, for Repeal of the Stamp Duty on Attorneys' Certificates.—By Mr. Brotherton, from Pwllheli (Carnarvonshire), and Mr. Ord, from Newcastle-upon-Tyne, against the Use of Grain in Breweries and Distilleries.—By Captain Berkeley and other Hon. Members, from several places, respecting Remuneration to Tax Assessors and Collectors.—By Mr. Alderman Copeland, from Eaton, for Repeal of the Anatomy Act.—By Viscount Morpeth, from several places, against the Government Scheme of Education.—By Lord G. Bentinck and Earl Lincoln, from several places, for Encouragement to Emigration (Ireland).—By Lord G. Bentinck, from Chester, in Favour of the Ten Hours Factories Bill.—By Mr. P. Scrope, from Castletown Roche and Idrone East, for Alteration of the Poor Law (Ireland).—By Mr. Roebuck and other Hon. Members, from several places, for an Efficient Poor Law (Ireland).—From Castlecorner, against the Poor Relief (Ireland) Bill.—By Mr. Alderman Copeland and other Hon. Members, from a great many places, for Repeal or Alteration of the Poor Removal Act.—By Mr. Hume, from Glasgow, in Favour of the Ports, Harbours, &c. Bill (1846).—By Mr. Phillpotts, from Gloucester, for the Suppression of Promiscuous Intercourse.—By Sir C. Lemon and Sir J. Tyrrell, from several Railway Companies, against the Railways Bill.—By Lord G. Bentinck, from the Grand Jury of the County of Tipperary, in Favour of the Railways (Ireland) Bill.—By Mr. Smollett, from Schoolmasters of the Presbytery of Dumbarton, for Compensation relative to the Registering of Births, &c. (Scotland) Bill.—By Mr. Roebuck, from R. T. Webb, 18, Wyndham Street, Bryanstone Square, for Allotment of Unappropriated Lands.—By Sir W. Molesworth, from Southwark, for referring National Disputes to Arbitration.

RAILWAY COMMITTEE.

LORD GRANVILLE SOMERSET reminded the House that a Committee had been appointed last year, at the instance of the hon. Member for Inverness, on the subject of railway communication, and that Committee sat until about the end of August. At the end of August a nominal report was made, and the evidence also reported. He had been told, and he believed it to be true, that that was not the report of the Committee, and that in point of fact it was only a sketch prepared by the hon. Member for Inverness of his own opinions, and that he had received no authority for preparing it from the Committee. It was desirable that the facts should be known, and the House and the country put in possession of them.

MR. MILNER GIBSON should be happy—as far as the circumstances came within his knowledge—to answer the inquiries of the noble Lord. The last meeting but one of the Committee, at which he (Mr. Gibson) was present, was held on the 7th August. On that occasion certain resolutions were submitted to the Committee, and were considered, amended, and agreed to by the Committee. Those resolutions were, on the 7th of August, reported to the House, accompanied by the evidence, and which, up to that time, he believed, had not been reported. A fortnight after the 7th of August—on the 25th of August—the Committee was summoned to meet again; but no one, he believed, attended with the exception of the Chairman of the Committee, the hon. Member for Inverness. They were certainly unable to make a quorum; he believed, in fact, no Member was present but the Chairman himself. On that occasion, as he was informed, a draft report was laid upon the Table, and a minute was made by the clerk of that proceeding. Afterwards it appeared, by the Votes of the House, that the draft report which was laid on the Table by the hon. Member for Inverness, had been reported formally to that House, as if it had been the report of the Committee. It was not for him to say how such a circumstance had arisen; he knew only from the Votes of the House that such a report had been made; and, so far as he was concerned, not having been present, he could not be a party to that report.

LORD GRANVILLE SOMERSET said, it was now supposed to be the report of the Committee, and it should be stated to the public that it was not the report of the Committee, but the report of the hon. Member for Inverness. It was of importance that the House should set the matter right, because he saw that report quoted as an authority, not only on their own journals, but elsewhere.

MR. HUME, on finding that his name was put down as present on the day when this report was said to have been agreed to, saw the clerk on the subject, and asked him on what authority his name had been so put down, and whether a draft of the report had been submitted to the Committee? and his answer was, that neither he (Mr. Hume) nor any of the other members of the Committee, with the exception of the Chairman, had been present, and that he had made the report at the desire of the Chairman; and accordingly it stood on the records of the House as the report of the Committee. Now, he, for one, never saw the draft, and could not agree to it. On the contrary, he considered that it would be absolutely necessary that a Committee should be appointed to ascertain how that report came into the Journals of the House, and how it should be removed. He believed, however, it would be found that the whole affair had arisen from irregularity caused by the inexperience of the hon. Member for Inverness and the clerk of the Committee.

MR. M. GIBSON thought, that as the hon. Member for Inverness was not present, they could not ascertain exactly the nature of the circumstances which had taken place.

MR. SPEAKER had had his attention called to this subject early in the Session, and he had ascertained from the clerk of the Committee that on the last day for which it was summoned, no other member of the Committee attended but the hon. Member for Inverness. A report, however, was made up by the hon. Member himself, who was Chairman of the Committee; and unfortunately, owing to the inexperience of the clerk, the document with the evidence was reported to the House. It appeared that the Chairman had made out a draft of the report to lay before the Committee; but the hon. Member could not do this, because there was no Committee sitting. No report that was not put first to the members of a Committee, and confirmed by that Committee, could be presented or received as a report by that House. This was not attended to in the present case, so that nothing could be more irregular than that this document should appear as the report of the Committee. In these circumstances, it was a question for the House to consider whether the better course would not be to reappoint the Committee.

INDIAN RAILWAYS.

MR. MACKINNON begged to ask the right hon. Gentleman the Secretary of the Board of Control, why the terms offered to the two railway companies in the Bengal Presidency had not been offered to the Great North of India Railway, being a continuation of the grand trunk line running from Calcutta towards the Indus?

SIR JOHN HOBHOUSE would, in answer to the question of the hon. Gentleman, state the reason why the proposal which was made to those two other railway companies to which the hon. Gentleman had alluded, was not made to the Great North of India Railway. The reason was this—the proposal made by the East India Company for those two companies had reference to two experimental lines to embrace the upper and lower provinces of Bengal. The company to which the hon. Gentleman referred, had no reference whatever except to the upper province, and it was not deemed advisable that a similar proposal should be made to them.

INDIAN PRIZE MONEY.

MAJOR LAYARD begged to ask the right hon. Gentleman the President of the Board of Control when it was likely that the prize money to which the persons who were present at the capture of Khelat and Ghuznee were entitled would be distributed?

SIR JOHN HOBHOUSE, in answer to the question of the hon. Gentleman, could inform him that, with respect to the prize money coming from Khelat, it was now in course of distribution. As to the Ghuznee prize money, some difficulty had arisen respecting it, but he had every reason to believe that an order had been given by the Governor General about the month of December last, in accordance with which that prize money was now either in the course of distribution, or about to be distributed.

COLONEL BAILLIE desired to know when the Scinde prize money would be distributed?

SIR JOHN HOBHOUSE said, that some difficulty had also arisen with respect to the distribution of this prize money, and the prize agents had referred to the home authorities—the Court of Directors and the Board of Control—two questions. Those questions were now under the consideration of the Board of Control. He expected they would be decided by them in a short time; and the moment that was done the money would be distributed.

CULTIVATION OF THE LAND IN IRELAND.

CAPTAIN HARRIS had observed, with much satisfaction, that a circular to agriculturists had been issued by Captain Gilbert, inspecting officer of public works in Sligo; and he wished to know from the Secretary for Ireland, whether that circular had been issued generally from the Board of Works? It was a well-timed document, and ought to be made known all over Ireland:—

> "Sligo, March 10.
>
> "The season has now arrived when it is to be hoped that all persons who have it in their power will commence immediately to put seed into the ground.
>
> "If any person who is now employed on the public works is desirous of working on his own land, he is at liberty to do so, and send one of his family to work in his place.
>
> "Any proprietor who wishes to have some of the labourers on the public works for their own employment, will apply to the nearest overseer for as many as he may require, giving him a list of the men that he has selected. The overseer will deliver them over to the person demanding them, and forward the list to the inspecting officer.
>
> "In case the labourers refuse to be employed by any private individual, their names will be immediately struck off the pay list, and they will no longer be employed on the relief works.
>
> "Farmers requiring horses to assist in ploughing their land, may apply to the carmen employed on the public works, offering them fair wages. In case the carmen refuse the use of their horses, they will be immediately discharged from the works.
>
> "F. Y. GILBERT, Inspecting Officer."

MR. LABOUCHERE agreed with the hon. Gentleman that the circular which he had just read was a well-timed and judicious document. If he had given notice of the question, he (Mr. Labouchere) would have taken care to inform himself, so as to be able to give a correct answer. He might state, however, that his impression was, that it was not a general circular, but one put forth by Captain Gilbert alone.

Captain **HARRIS** would suggest to the right hon. Gentleman that the Board of Works ought to make the circular a general one, if it was not already so.

Mr. **LABOUCHERE** thought, from the general instructions which had been given by the Board of Works, that the suggestion now made would be altogether superseded.

THE WELLINGTON STATUE.

Mr. C. **BERKELEY**: I beg to ask a question of the noble Lord the First Commissioner of Woods and Forests. It will be in the recollection of the House, that in the month of August last, Her Majesty the Queen had given permission to the committee of the Wellington Statue to place it on the arch for three weeks' time; but the statue had now been in that position upwards of six months, and it had been condemned by every person. [Mr. Speaker begged to remind the hon. Member that he was merely putting a question.] Yes, I wish to make my question intelligible to the noble Lord. The question is this: Will the noble Lord state in a plain and intelligible manner what are the final intentions of Her Majesty's Government with regard to the removal of the statue? And if it be the intention of Her Majesty's Government that it shall not remain where it is, I wish to know if the noble Lord has taken any security from the Wellington Statue Committee that they should remove the scaffolding at their own expense?

Viscount **MORPETH** said, it was the intention of Her Majesty's Government that the statue should be removed from the arch, and men were employed, he believed, that day in removing it. He understood from the sub-committee that they conceived, and the Government certainly conceived, they were bound to take it down at their own expense.

ETON MONTEM.

Mr. **JAMES** begged to ask a question of the right hon. Gentleman the Secretary of State for the Home Department, respecting the ceremony called the Eton Montem. It was a subject which he considered interesting out of doors, and it was one about which, as an old Etonian, he felt considerable interest. Most Gentlemen, he believed, were aware that the authorities at Eton had determined to discontinue the Montem, on the ground of its having an immoral tendency, and also of its interfering with the discipline of the school; but it was now desired by influential Members of that and the other House of Parliament, and other influential persons, to reverse that decision. He believed there was no doubt of the fact. He was not going to mention more than one or two facts, without which it was impossible to answer his question. There was no doubt, he believed, of the fact, that the proceedings which had taken place at Eton Montem were illegal, and that in point of fact the young gentlemen who went about collecting money were liable to be apprehended under the Vagrancy Act—[Mr. Speaker: The hon. Gentleman must not enter into an argument]—and if force were used by them, that it would amount to a highway robbery. The noble Lord (Lord J. Manners) seemed to be very much amused; it was stated— [*Cries of* "Order;" "Speaker."] The question he would put, then, was this: he wished to know from the right hon. Baronet the Secretary of State for the Home Department, if the decision that had been arrived at by the provost and head master of Eton, to discontinue this practice of Eton Montem, was to be reversed by very high influence, as was anticipated and expected; whether the right hon. Baronet did not think it would be desirable and proper to exempt these young gentlemen from the penalties of the law to which they were now subject; and to legalize it, and to authorize it by a new law; they having acted contrary to the law, at those triennial, and as he thought, very discreditable and ungentlemanly proceedings?

Lord J. **RUSSELL**: As I am more fully acquainted than my right hon. Friend with what has taken place respecting the Eton Montem, I shall state what occurred. The provost and head master informed Her Majesty it was their intention to take measures for the abolition of the Eton Montem; and they stated at the same time that they wished to give this intimation to Her Majesty that such was their intention. Her Majesty informed me of that communication, and asked me if I thought proper to advise Her Majesty to interfere with the provost and head master, in order to support or withhold that determination. My advice to Her Majesty was, that the best authorities on the subject were the provost and head master. I informed the head master accordingly; and certainly I did not advise Her Majesty to interfere with the decision, which I believe they are perfectly competent to come to.

ANNUAL DUTIES.

Lord GEORGE BENTINCK: It will be in the recollection of the House, that on the 20th of July, when the sugar duties were altered, and the Sugar Bill, which up to that time had been an annual Bill, was made a permanent Bill, that my noble Friend declared in this House, that it was not his intention to vary the constitutional practice of Parliament in always maintaining some large amount of taxes which should be annually voted by this House. My noble Friend stated that he would at a subsequent period declare to the House what that taxation would be, which he should put in that position that every year previous to the 5th of July, the House would have an opportunity of taking a vote upon it. Seeing that the Mutiny Bill stands second on the Orders of the Day, I think it proper to ask my noble Friend whether there is any large amount of taxation upon which he proposes to take a vote this Session?

Lord J. RUSSELL: In answer to my noble Friend's question, I have to state, in the first place, that he is perfectly right in his reference to the statement made that it was our intention, when we proposed that the sugar duties should be made permanent, to propose that some other duties should be made annual. After making that announcement, I received representations from various quarters, stating, that with respect to those duties which could be made annual, there would follow very considerable public inconvenience. Those representations were taken into consideration by the Cabinet; and I think since the commencement of the present Session, my right hon. Friend the Chancellor of the Exchequer has declared that it is not our intention to propose any annual duty as a substitute at present for the annual duty on sugar. There are various votes to be taken in the course of the Session; the vote for supply according to the military estimates; also the miscellaneous votes, by means of which, as I conceive, the House of Commons has infinite control. It is not our intention, therefore, seeing the public inconvenience that would arise, to propose that any duty which is now permanent should be made annual.

THE DRAINAGE BILL.

Mr. CAYLEY was sorry to interfere with the Order of the Day, but he wished to call the attention of the House to the Drainage of Land Bill, which stood on the Paper for the third reading that night. The Bill had come on at a late hour on Friday, at a period when proper attention could hardly have been paid to it. As far as he understood it, this was a Bill to amend an Act of last Session, by which a grant of money for the improvement of land was made to Great Britain to the amount of 2,000,000*l.*, and to Ireland to the amount of 1,000,000*l.* But now it was intended to make a grant to Ireland itself of 1,500,000*l.* And, although there was a grant of 2,000,000*l.* to Great Britain, he found there were applications for 3,000,000*l.*, in consequence of which it had been proposed on the Committee to limit the grants to individual applicants to the sum of 10,000*l.* This had been done at the suggestion of the right hon. Member for Dorchester. It appeared that applications had been made from Scotland for advances to the amount of 1,500,000*l.* He remembered that it had been said the other night that a larger sum than that originally proposed to be advanced could not be granted. He believed that it was intended that 1,500,000*l.* should be advanced to Scotland, and only 500,000*l.* would remain to be advanced to English landlords for the purposes of drainage. He would venture to say that this was unfair to England. The original object of the grant was alleged to be to enable the landlords of England to raise the character of agriculture in England to a level with that of Scotland; and yet such was the ratio to be established between the two in the matter of this grant. His object in rising was to ask whether some means could not be devised for a more equitable distribution of the money to be advanced, so as to benefit the proprietors of England, as well as those of Scotland. Either a more equal distribution should be made, or some intimation should be thrown out by the Government that it was intended to make some further grant which would enable the English proprietors to make further improvements.

Sir G. GREY said, that he would not enter into the merits of a Bill not before the House; but he thought that the limitation which had been made, to the amount of 10,000*l.* for every advance, would meet the objection of his hon. Friend to the Bill.

No application whatever had yet been made from an English landowner that had not been attended to.

POOR RELIEF (IRELAND) BILL.

On the Order of the Day for resuming the Adjourned Debate, or that the Speaker do leave the Chair to go into Committee on the Poor Relief Bill,

SIR WILLIAM CLAY said, that the main object of the Bill before them was the extension of the existing poor law in Ireland, by rendering it legal, under certain circumstances, to administer relief to the able-bodied poor out of the workhouse. That was the principle involved in the Bill, and it was therefore the question to which their attention should be confined in its present stage. There were, no doubt, questions of detail in the measure, such, for instance, as the area of liability of contribution; whether it should be the union or the electoral districts to which the hon. Member for Northamptonshire had called their attention. But, however important, still these were questions of detail, and as such might be more conveniently discussed in Committee. He should confine himself, therefore, to the consideration of the great question of out-door relief. Now, in discussing this question, it appeared to him that the opponents of the Bill had overlooked one most important consideration. They had all dealt with it as if, immediately on the passing of the Bill, all able-bodied and destitute persons would have a right to relief. The Bill gave no such right, or gave it only through the intervention and on the authority—an authority to be perpetually suspended and renewed—of the Poor Law Commissioners, who were for this purpose invested with very large discretionary powers—powers perhaps of unexampled extent; for they must not conceal from themselves that the Bill before them, taken in combination with the Bill for the temporary relief of the destitute poor, which had already passed that House, conferred very extraordinary power on the Executive Government. By the Bill now before them, the Poor Law Commissioners might, in the event of want of room in the workhouse of any union, order out-door relief to able-bodied persons being destitute. As in the present state of Ireland it was certain that the great majority of unions would be so circumstanced, it was clear that the Bill did in reality vest in the Commissioners the power to impose, or to abstain from imposing, on the property of Ireland whatever amount of taxation might be necessary to maintain the far larger portion of able-bodied but destitute poor. But then again, by the Temporary Relief Bill, it was in the power of the Government, acting through the intervention of the Relief Commissioners, wholly to supply this demand, to provide, from the Imperial Exchequer, the entire funds necessary for the support of the able-bodied poor not received into the workhouses, without calling for one shilling of contribution for this purpose from the parties liable to poors' rate in Ireland. In other words, by these two measures they were about to invest the Government with the power of raising, or not raising, at their discretion, taxation amounting to millions; and if the Government decided to raise it, then equally at their own discretion of deciding whether it should fall on the people of the whole empire, or on one portion only of that people. No doubt these were very large, very unconstitutional powers—powers which he believed no Government would willingly accept; which he believed the Government of the noble Lord accepted most reluctantly; and which nothing but the clearest conviction of their necessity could have driven them to seek at the hands of Parliament. But in his (Sir William Clay's) opinion, that necessity did exist; and, so far from blaming, he highly applauded the manliness and courage which led the noble Lord and his Colleagues not to shrink from the responsibility which the possession of powers so large involved. In what position were they placed? Ireland must have a poor law—not such a poor law as that now in existence, which provided for the support in the workhouse of some 100,000 sufferers out of millions perhaps equally suffering—not a poor law by which some 400,000*l.* per annum, or 6*d.* in the pound, was raised for the relief of distress out of a rental of 13,000,000*l.*, or rather half of 400,000*l.*, for the other half was taken from the occupying tenant —but a real, an effectual law for the relief of the poor; a law similar in its essence to the poor law of England; a law which shall prevent human beings dying of famine, while on the fertile fields of Ireland one stack of grain was reared which could be devoted to their subsistence. All considerations of reason, justice, humanity, in his opinion, alike pointed to the necessity of such a law in Ireland; but independently of those considerations, the introduction of a poor law into Ireland was inevitable from the present state of opinion and feeling in this country. There existed, he would not say a general, but an universal determination on this head. The people of England were contented to make the great sacrifices which the calamity that had fallen on their fellow-citizens rendered necessary. They were aware that those sacrifices could not terminate with the present year, but would probably be renewed year after year; that they might for a long series of years be called on to contribute from their hardly and honourably earned savings to the relief of the distress of Ireland. He believed that they were aware of, that they were prepared for, such a necessity; but they were equally determined that in the long run, as the permanent condition of the empire, Ireland should maintain its own people from its own resources; that as the poor of England were maintained from the property of England, as the poor of Scotland were maintained from the property of Scotland, so the poor of Ireland should be maintained from the property of Ireland. Ireland, then, must have a poor law—a real, an efficient poor-law. But how was it to be introduced—by what process was it to be applied? His hon. Friend the Member for Stroud, his hon. and learned Friend the Member for Bath, and others well deserving of attention, would tell them to apply the English poor law at once, as it now stood on the Statute-book, to Ireland, and give every destitute person in that country, able-bodied or otherwise, a right to relief. He believed the right to relief to be an essential part of a perfect poor law; but he confessed he was not prepared at the present moment for a step so decided with respect to Ireland. It appeared to him one full of peril, not only to the property, but to the interests of the poor of that country. What made it safe in England to give every man a right to relief? Why, this circumstance, that as a general rule there was employment for every man willing to work. An able-bodied and industrious man out of work was the exception to the rule. Society was divided into two great classes, labourers and the employers of labour; and such was the wholesome relation of capital to labour, that, generally speaking, every man willing to work might get a day's wages for so doing. But did any such state exist in Ireland?—it should be their one great object to create such a state; but did it exist now? did anything analogous to it exist in Ireland? On the contrary, the sound and wholesome relation of capital to labour which prevails in England is scarcely known. It is rare that a labouring man works for money wages all the year round for an employer. The vast majority of the humbler classes subsist by the cultivation of a potato plot; those who work at all for others, working only to the extent which will pay their rent. But if to a class so circumstanced it be said, their ordinary source of subsistence failing, you shall have a right to maintenance whether you work or not—if the classes which have to pay the poors' rate be told, you must at once find employment for this vast accession of labour for which there exists at present absolutely no market, would it not have the tendency to encourage in the one utter helplessness; to overwhelm the other with utter despair? What, then, was their alternative? To introduce a poor law, but to introduce it gradually. To watch the growth, to assist the development of a sounder system. On the one hand, not hastily nor rashly to relax any of the motives that may urge the labouring poor to find employment and maintenance for themselves by their own exertions—on the other, to enforce on the payers of rates, by a pressure on their resources, rigorously applied, the wisdom as well as the humanity of providing employment for their poorer neighbours. But for the accomplishment of such a task, no *à priori* regulation, no rules which could be laid down by Act of Parliament would suffice. The mode in which a poor law can be safely and advantageously applied in Ireland, may vary with almost every county, almost with every union, and its introduction, therefore, can only be safely entrusted to a varying and elastic authority. Such an authority was proposed to be created by the Bill, and therefore it should have his support; not because it was a perfect poor law, but because it was a substitute for a perfect poor law—because, as it appeared to him, it was the only poor law of which Ireland at this moment was susceptible; the only law fitted for her state of social transition. In making this avowal, however, in giving his support to the Bill before the House, he would not wish to be misunderstood. His firm conviction was, that ultimately the laws for the relief of the poor in Ireland and England must be assimilated; that the destitute poor of Ireland. as of England, must have a right to relief, guard the exercise of that right by what precautions they pleased; but a law which rendered it certain that no human being should perish by want, must form a part of the civil polity of Ireland, if they ever hoped to see security of life and property, and consequently peace and prosperity, exist permanently in that country. It might, perhaps, be supposed—indeed, it had been said in that House and elsewhere —that the zeal of the people of England to inflict, as it was called, a poor law on Ireland, was quite new born, and sprung solely from their own pockets being touched by the effect of the recent calamity. He believed this to be altogether an error. The conviction, the profound and general conviction, in the minds of the people of England of the necessity of a poor law in Ireland, had been, like all those great changes of opinion which influence the social condition of nations, of slow and silent growth; recent circumstances had only given it greater earnestness and roused it into action. The surprise, perhaps, should be, not that the people of England now entertained this opinion, but that they had not entertained and acted upon it long ago. All reasoning, all experience, pointed to the necessity of such a law. Upon no other ground could they call on mankind to give up their natural right to take by the strong hand the food which would prevent their perishing, than that society should itself undertake to protect its members against that dread extremity. Accordingly, it had everywhere been found necessary, since the progress of civilization and refinement had abolished the status of domestic slavery, to provide by law for the relief of the destitute. Poor laws, in some shape, had formed part of the domestic polity of every State in Christendom at least, with the exception of Ireland. In Ireland alone, to the eternal disgrace of Ireland and England alike, it had been possible for human beings to perish by the wayside, without one human law to appeal to for succour. And they were astonished at the social condition of Ireland—that whiteboyism, that riband associations, that illegal combinations existed—that terror, that assasination stalked through the land —that their Arms Acts, their Coercion Acts, their proclaiming districts, their police, their military force, failed to produce tranquillity. Their surprise should rather have been, that such means had had even partial success; that one universal servile war had not vindicated the rights of outraged humanity. They called the Irish peasant lawless. Had they ever given him reason to love or respect the law? He had but one security for himself, his wife, his children, against death by famine—the possession of a potato plot. Could they wonder that he clung to it with deperate tenacity—that he defended it at the peril of his own life, by the sacrifice of the lives of others—that crime for such an object found universal sympathy among those exposed to similar calamity—that the assasin, fresh from the slaughter of his victim, retreated slowly, unimpeded, through approving crowds, who saw only in his dread crime an assurance of protection from that last extremity of suffering against which the laws of their country failed to provide them protection? Give to the Irish peasant the assurance that he, that those dearer than himself, shall by law be secure in any case against perishing by want, by that one enactment they would deprive the assassin of sympathy, and give security to property. Why, the facts were so clear, so patent, so palpable, that those who ran might read. Ireland abounded in every element of wealth. They needed not the fresh evidence of the admirable work of Dr. Kane, to convince them that in her mines, her fisheries, her water power, her millions of unreclaimed and fertile acres, she possessed resources of national prosperity which long years could not exhaust, and which would suffice to maintain in comfort, not only her present, but twice her present population. Why were such elements inert; why were such means of prosperity valueless; such resources unavailing? For one single reason—the insecurity of life and property, in a country where the people never respected or supported the law, often were banded together against it. By no force could they render the law efficient, unless it possessed the respect and affection of the people. By no means could they procure for it that affection and respect, except by convincing the people that their lives, their well-being, were the object of its solicitude. But these conclusions brought them to a poor law. He was not one of those who were disposed to speak with harshness of the Irish landlords. It was as unjust as it was unphilosophical to charge on individuals the faults of a system. The landlords of Ireland, like the landlords of England, were only what the respective and widely-different legislation of the two countries had made them. If in England, as in Ireland, the law had permitted the rich man to look on, and see his poorer neighbour starve, in England also we should have had the dreadful spectacle of dogs being pampered, while human beings in view of their kennel perished of want. It was in no spirit of hostility, therefore, to Irish proprietors that he advocated an efficient poor law. On the contrary, he was convinced that they would ultimately be gainers, not only in security and peace, but in wealth, by the enactment of such a law. The right hon. Gentleman the Recorder of Dublin recently instituted a comparison between the counties of Mayo and Norfolk, which were, he said, nearly of the same area, each above 1,300,000 acres, while the rental of Norfolk was 2,000,000*l.*; of Mayo 326,000*l.*; and he urged this great difference as a reason why Mayo could not support an equal amount of taxation. But did the comparison suggest to him no other results? Did he not consider why there was this difference of wealth between these two similarly sized portions of the same empire? Did it not occur to him that the labourer of Norfolk was protected by law from perishing of want; that life and property were, therefore, secure in Norfolk; that capital was, therefore, invested in the sandy plains of Norfolk, and in the manufactories of Norfolk? If he could refer to the period when Norfolk had as yet no provision by law for the poor, he would find that county probably yet poorer, yet less secure than Mayo now. The same right hon. Gentleman on Friday evening quoted from reports of Parliamentary Committees and other sources opinions adverse to the expediency of out-door relief. With respect to many of those expressions of opinion, and especially with reference to the most important of all, that contained in the report of the Poor Law Commissioners in 1834, it should be borne in mind that they were fully before the Legislature and the public when Parliament passed the great Act reforming the English poor law; and by that Act out-door relief to the able-bodied was not taken away, but subjected only, as it always should be, to the control of some central authority, and, as was intended far more stringently by the present Bill, to guard it from abuse. And what had been the result of the working of that great measure? Why that, at the present moment, two-thirds of the entire sum expended in the relief of the poor in England was expended in out-door relief, and, as he believed, wisely so expended. No one could have attended boards of guardians in England without being satisfied that, vigilantly guarded from abuse, out-door relief was a most efficient and humane mode of assisting the distressed poor, and was indeed the only mode by which any great and sudden destitution could be met. It should be borne in mind that at the time of passing the new English poor law of 1834, and during a series of years immediately preceding it, the attention of the public had been very forcibly drawn to the abuses of the old law, and, as might have been expected, had become less alive to the immeasurable benefits which, with all its faults, it had conferred on the country. By the way, another hon. Gentleman, the Member for Dublin, in referring to the well-known resolution of the magistrates of Berkshire, in 1796, which afforded the first opening to these abuses, seemed to him completely to have misapprehended the real bearing of that resolution. It was not because it enjoined out-door relief that the interference of the magistrates at that time was dangerous, but because it led the way to the making up wages out of the poor rate—two matters wholly distinct, the one from the other. He had already said, that almost universally throughout Christendom, with the exception of Ireland, there was more or less of interference of the State for the relief of the destitute; in none was that interference so ample or complete as in England; and let them learn the results in the words of Mr. Senior (no very favourable authority to out-door relief), in the conclusion of his report on the poor laws of foreign countries:—

> "On comparing these statements respecting the wages, subsistence, and mortality of those portions of Continental Europe which have furnished returns, with the corresponding statements respecting England, it will be found that on every point England stands in the most favourable, or nearly the most favourable position. With respect to money wages, the superiority of the English agricultural labourer is very marked; it may fairly be said that his wages are nearly double the average of wages on the Continent."

One word by way of digression on a subject which had occupied a large part of the speech of the right hon. Gentleman—the vituperation of Irish landlords in that House and by the public press. Now, he was not prepared to adopt all the violent language he saw in the public papers; he was not able to approve even of all the sentiments that fell from his hon. and learned Friend the Member for Bath, whose most sincere friends perhaps would be most disposed to wish that he could more frequently curb the vehemence that lessened the effect of his great abilities, and occasioned a false estimate to be formed of his character and feelings. But of this he was quite sure, that it was precisely those Irish proprietors who would have the best right to complain of the severity of his hon. and learned Friend's strictures, that would be the least disposed to consider them uncalled for. Against *The Times* and the *Tablet*, moreover, might he not set the *Nation?*—against the polished, though stern invectives of his hon. and learned Friend against one class of the Irish people in behalf of the people at large, might he not refer to the rabid denunciations of Conciliation Hall against the whole English people? But, after all, what was the use of referring to such things? Ought they to permit their deliberations to be influenced by such considerations? Did the right hon. Gentleman really think that the Parliament of England, the people of England, were acting an unjust, an ungenerous part towards Ireland? The right hon. Gentleman said, these discussions, by the acrimonious tone in that House and of the press, would tend to promote ill feeling between England and Ireland. He differed from him utterly. He believed, on the contrary, that recent events would go far, had already gone far, to enlighten the people of Ireland as to the friends on whom they could rely, and the counsellors they ought to trust. No doubt that people had shown a wonderful aptitude to be misled; but he thought they must be dull as the sod on which they trod if the utmost pains could again arouse their hatred and mistrust of the Saxon, and cause them to prefer to that English people who supported them in their utmost need, and were now about, by giving them similar laws to their own, to raise them from the dust, those leaders who had denounced a poor law, and held out the phantom of repeal. With the sentiments he had expressed as regarded the landlords of Ireland, it would be readily understood that he was quite prepared to make them the main agents in the social regeneration of that country. He thought it would not be either just or politic to refuse to afford them the opportunity of becoming so. He had given, therefore, his willing assent to the measure for promoting the improvement of landed property in Ireland. No doubt objections on economical grounds might be taken to that measure, as well as to some others that had been proposed—that, for instance, for the temporary relief of the destitute through the agency of the relief committees and Government officers—but the case of Ireland at the present moment was exceptional, and must be met by exceptional measures. They could not look on and see the people perish. There might be faults in the measures proposed by the Government; but no one had come forward to prepare better, in that House, or indeed elsewhere. He bore this testimony the more willingly as he could not consider Irish measures at such a juncture as falling within the category of party obligations; and, much as he approved of the Government of the noble Lord, and desirous as he was to support it, if he had heard from any quarter—from the right hon. Gentleman the Member for Tamworth, the noble Lord the Member for Lynn—even from the hon. Gentleman the Member for Limerick—any proposition more likely to benefit Ireland in this dreadful emergency, he should have felt bound to support it, however much in opposition to the Government. In one other particular also, he was bound to give to the Government the humble testimony of his approbation: on no occasion had they given reason to suppose that they were not aware of the true principles by which their policy should be guided, though they had felt themselves compelled by the emergency of affairs temporarily to depart from them. He could not forbear alluding especially to the speeches of the right hon. Gentleman the Secretary for Ireland, which were as much characterized by the enunciation of sound principles as by a generous sympathy with the sufferings of the Irish people. Seeing that such were the principles by which the Government was animated, he felt confidence that they would restrict within the very narrowest compass what was exceptional and contrary to sound principle in their policy. He trusted, and he believed, that they would do what was best, under the emergency, for Ireland, and that they would not lose sight of justice to the people of England. He believed the noble Lord had the inclination thus to act. He was sure he had the power. He had the people of England—of Ireland, indeed, too—at his back. He had but to breathe one word, and he would receive a support which would enable him to resist, to coerce, to overthrow any amount of opposition, in whatever quarter arising. No doubt the successful working of the measure would mainly depend on the mode in which it was carried out; but it was right in principle, and therefore it should have his hearty support.

CAPTAIN JONES begged to be considered as not belonging to the class of Irish Members who did not admit the great exertions and the noble charity of the people of England towards the relief of his unfortunate countrymen. For his part he could never adequately express his opinions of the charity displayed by the English people; and he should say the same with respect to the exertions of the Government. If the Government had not taken the steps which they had, and if the Irish Secretary had not written his letter at the time he had, the loss of human life would have been far greater. But he still felt it necessary to offer a few observations with regard to the statements made by the noble Lord, and especially with regard to that relating to the amount of poor rates levied in Ireland. The noble Lord had stated that the average assessment amounted to no more than 5¾*d.* in the pound. But supposing that that were so up to the close of the year 1845, to the 1st of January, 1846, it did not show what the charge would be upon the property of Ireland at the present moment, if it were chargeable with the entire support of the poor. If the noble Lord would look to the returns, he would see that up to the 9th of January, 1847, there were 101,189 paupers in the workhouses, whilst on the 1st of January, 1846, there were only 43,764. Now if a rate of 5¾*d.* in the pound were sufficient for the 43,764 in January, 1846, it was plain that a rate of about 14*d.* would be required for the 101,189 in January, 1847. But they had another element to consider. The cost of maintaining each pauper in 1846, was estimated at 1*s.* 3*d.* per week, whilst it could not be taken at less than 2*s.* at the present moment. The hon. Baronet who had just sat down, had treated all the Irish Members as if they were opposed to the Bill before the House; but it was not so. He thought that the poor law as it stood was sufficient for Ireland up to the end of the year 1845, but that it now required a further extension. He was no party to the resolutions of those noblemen and gentlemen of whom so much had been said, although to a certain extent he agreed with them as to out-door relief. But he thought they should have worded their resolutions differently. They should have commenced by declaring that the people of Ireland were entitled to relief out of the property of Ireland, and they should then have stated the nature of the extension of the poor law which was in their opinion required, or which they thought would be found practicable. His own opinion, formed long before these measures of the Government were contemplated, and long before the very great distress which now prevailed had come on, was, that an extension of the poor-law system in Ireland was absolutely necessary. He thought that there should have been a right of relief given to every man who presented himself at the poorhouse, and was willing to take the workhouse test; but he was not willing to agree to the giving of outdoor relief at that time. He had, however, since much modified his opinions upon the subject. But if they gave outdoor relief, they would have hardly a single poor family that would not expect some one at least of its members to receive some sort of relief. Now they ought not to place persons receiving out-door relief in a better position than a class of the ratepayers; but by the present Bill as it stood they would place the recipients of out-door relief in a better position than many of the ratepayers. The noble Lord had made use of one expression, that "out-door relief should be given when the workhouse was full." Now, if that were meant by him as an explanation of the mode in which the Act was to operate, and if, as he (Captain Jones) understood the noble Lord, it was not intended to give out-door relief until the workhouses were full, he would be satisfied. And if the noble Lord would alter his two clauses so as to make it imperative that no out-door relief should be given so long as there was room in the workhouse, he would support the measure.

Mr. V. STUART was desirous of offering a few observations, in consequence of the circumstance of finding that his name had been attached to a protest against the Bill before the House, which protest had been the subject of much animadversion. He begged to say he had never given any authority for having his name attached to that document. On the only occasion upon which he had had an opportunity of expressing his sentiments on the subject, he had said that in his opinion some sort of out-door relief should be given. He could not, therefore, account for the circumstance of his name being attached to the protest, otherwise than by supposing it to have been a mistake of the Secretary. When he found that charitable supplies to the amount of 1,000,000*l.* a year, which used to be distributed amongst the people of Ireland had totally failed, he thought that nothing short of out-door relief would meet their wants. But he could not sanction the charges that had been made against the guardians of the poor in Ireland by some hon. English Members. Their motives could be explained; and he appealed to those Irish Members who heard him, to say whether his statement was not correct, and whether there had not been originally a great degree of jealousy on the part of the guardians toward the Poor Law Commissioners, in consequence of the great power which was placed in the hands of the Commissioners by the law. The jealousy was occasioned by the manner in which those gentlemen at first conducted themselves towards the poor-law guardians, of whom they tried to act altogether independently. Even on the question of the fittest sites for the workhouses, and other arrangements, they threw over the opinions or recommendations of the guardians altogether; and the guardians had in many instances to complain of the manner in which the buildings had been erected, and of the extravagance of the cost in comparison with that for which they themselves could have had them built. These were some of the causes of the indisposition which had been exhibited by guardians to take possession of the workhouses after they had been erected, and of the smallness of the sums that had been levied by them as rates. Another cause operated against the filling of the workhouses, arising out of the indisposition of the poor people to enter them, or allow any of their friends to go in, preferring rather to share with them their last potato than suffer them to become recipients of relief upon the terms of the law. His impression was most strongly in favour of out-door relief, and he defied any one who had the misfortune to be a dispenser of relief in an overcrowded workhouse, and who had beheld the unfortunate creatures who presented themselves there, appealing for assistance, to think otherwise. He, for one, would do his best to take means for the alleviation of their distress. Now, that the potato had failed, the present law, as it stood, was a perfect farce. Another should be substituted. It might be necessary that other measures should be introduced as an assistance to it; an extensive plan of emigration, for instance. He would not deny that it might be the utter ruin of many; but he would not join with those who went to the noble Lord and said they could never consent to give statutable out-door relief to the able-bodied poor. The hon. Gentleman concluded by saying that he would give his warmest support to the measure.

Mr. G. A. HAMILTON said, that before entering at all upon the general question of the safety or expediency of extending out-door relief to the able-bodied in Ireland, as part of the poor-law system, he was anxious to make a few observations in reference to the speech of the hon. Baronet the Member for Marylebone (Sir B. Hall). He was sorry to say, he thought the whole tone and tenor of that speech afforded a strong confirmation of what his right hon. Friend and Colleague (Mr. Shaw) had stated, and which statement the hon Baronet had denied, namely, that amongst a certain class in this country—a class represented by the hon. Baronet, and the Member for Bath—there was a strong prejudice and an acrimonious feeling of hostility towards property and proprietors in Ireland, and that the present outcry for what was called a stringent poor law was, in a great degree, founded upon that prejudice and hostility. Perhaps it was not a matter to be complained of, that the hon. Baronet, after having been challenged to do so, should have named certain gentlemen who, as he considered, had failed in performing their duty as landed proprietors in the neighbourhood of Mallow. On the contrary, he was strongly of opinion, that of all the injustices that could be perpetrated, in the House or out of it, perhaps the greatest was that which, he was sorry to add, was not uncommon in the House, and which he thought the hon. Member for Stroud had committed last night, namely, that of making a charge, on anonymous information, against a person not named, and drawing from that accusation an inference against a whole class. If hon. Members had charges to make against individuals, it was much more manly, and much more just, to name the individuals charged, as the hon. Member for Mayo and the hon. Baronet had done, and the accuser, in order that if the charge was unfounded, a refutation might be offered. But what he complained of was this, that the hon. Baronet, if he had meant to impugn the conduct of individuals, and hold them up to public odium, as he had done Mr. Cotter and Mr. Courtenay, for alleged neglect of duty, and harshness, and want of charity, should not have had the fairness to communicate beforehand to those gentlemen his intention, and the nature of the charges, in order that he might himself have the opportunity of judging justly, by hearing both sides; and that, with the charge, the explanation, if any, should go before the public. Now, he thought and believed, that if there was one characteristic more than another which belonged to Englishmen, it was the love of fair play and justice, and that the accused as well as the accuser should be heard before a verdict was pronounced. But the hon. Baronet, on *ex-parte* evidence, without the opportunity being afforded of defence, or explanation, or refutation, had taken upon himself to condemn two gentlemen, and to inflict upon them that which after all was no slight punishment—the holding them up to public odium and indignation. He knew nothing of the facts of the case—they might be true or they might be false; but he hoped the House and the public would act more justly than the hon. Baronet, and suspend their judgment till the accused parties had the opportunity of stating their case. In reference to the accusation brought by the hon. Baronet against the proprietors in the union of Kanturk, in the county of Cork, he (Mr. Hamilton) had that morning received a letter from a gentleman, Mr. Leader, a landed proprietor in that union, which, in justice, he felt himself bound to read to the House. Mr. Leader stated—

> "I perceive some observations made by Sir Benjamin Hall, relative to the smallness of the contributions of the landlords in the union or electoral division of Kanturk. Before the English public condemn the landlords of Ireland, let them know the facts. In the union of Kanturk, at a presentment sessions in October, a sum of 51,000*l.* was voted to give employment to the destitute. On the 24th of December, another sessions was held under Mr. Labouchere's letter, at which 12,000*l.* was granted. In the month of February, the relieving officer and engineer of the Board of Works applied for a further sum of 24,000*l.*, in order to complete works already in progress; thus making a total of 87,000*l.* At the time these sums were voted, it was believed the whole amount would have to be repaid. If it be said, at the time these sums were voted, it was not intended to repay them, I strongly contradict it. On former occasions large sums had been advanced in this district by Government on public works, and been repaid. Now, turn to the levies under the poor law, and of which, it must be borne in mind, more than two-thirds are paid by the landlords. In the electoral division alluded to by Sir Benjamin Hall, a rate of 1*s.* 6*d.* in the pound was paid in November, and another rate of 3*s.* in the pound is now in course of collection; and the average rates levied in this union will amount to 2*s.* 6*d.* or 3*s.* in the pound. Thus, between poor rates, and the monies voted under the 9th and 10th Victoria, the sum of 100,000*l.* has been granted for the relief of the destitute, a sum exceeding the rental of the union. During the distress of last summer, liberal contributions were made and the evil met. But this winter the magnitude of the calamity was so tremendous, that the very largest amount of private subscriptions would have been totally inadequate. The Government undertook the task of relieving, and has generally been well seconded by the proprietors. It appears most illiberal and unfair to produce individual cases of neglect or avarice as characteristic of a whole class. In making such assertions as Sir B. Hall did the other night, it were but common justice to require that he should name the parties acting with illiberality. In one instance I am certain he has been misinformed, as there is not one individual possessing property in the union of Kanturk to the amount of 6,000*l.* a year. It is more than probable the 15*l.*, alluded to by Sir B. Hall, was in proportion to the property held in the electoral division. The largest proprietor in that division is Sir Edward Tierney; and you are yourself aware that there is no man more likely to fulfil his duty than he. I am, dear Sir, yours very truly, "N. P. Leader."

He thought it unnecessary to allude to Sir E. Tierney, as the hon. Baronet had stated that he had subscribed very largely; but he felt bound to say, that having visited Kanturk when on the Land Commission, he was enabled to assure the House that there was no landlord who spent more money, or devoted more care in the improvement of his tenantry, than Sir Edward Tierney. After the very able speeches of his hon. Friend the Member for Dublin, and his right hon. Friend and Colleague, it was unnecessary for him, and he would not trespass upon the House by entering at all upon the arguments against the extension of out-door relief to able-bodied labourers, founded upon authority, or the case of England, or the opinions of Commissioners or Committees. His right hon. Friend had stated that the present measure was brought forward unwillingly by the present Government, and contrary to their recorded opinions. He certainly believed that the true cause of its being proposed at the present time, was the pecuniary pressure upon England in consequence of the famine, and the approach of the general election. But for these two circumstances, he did not think the House would have ever heard of a plan for out-door relief to the able-bodied in Ireland. These, no doubt, were cogent reasons for inducing Government to bring the measure forward; but he could not admit, as an Irish Member, that they were reasons for legislating at a period of such excitement upon a question of such danger and difficulty, and one so materially affecting the future condition of Ireland; and seeing that no Member connected with Ireland had objected to any of the temporary measures for the relief of the starving poor, by which temporary measures Irish property would be charged to the extent of at least five or six millions, it was, he thought, most unjust that if they objected to out-door relief to the able-bodied, as part of the poor-law system, they should be accused of indifference to the sufferings of the people. All that they required was that the workhouse test should in every case be retained; and the deputation which had waited upon the noble Lord had stated to him in the strongest terms, although the noble Lord had not mentioned it, that they were willing to give powers to any extent, and any amount, to enlarge or increase the number of workhouses as tests for the able-bodied. The noble Lord had stated, in reference to the dilemma in which he considered he had placed the deputation, that whatever might be the dangers or objections to the giving of out-door relief to the able-bodied labourers, the economical question and difficulty remained. Now, in the few observations which he meant to address to the House, he would endeavour to confine himself as nearly as possible to that part of the question. In looking at the economical question—looking at the great question of the social condition of Ireland; and believing, as he believed, that the House and the public in England were at present acting under excitement and impulse, arising out of this appalling calamity, rather than in the exercise of a calm and dispassionate judgment, he would ask their attention for a few minutes, while he brought before them a few facts and considerations which he thought would be found to bear upon the economical part of the question. And, first, he thought it would be useful to revert to the condition of Ireland previous to this great calamity. It was far from his intention to under-estimate the extent of that calamity; he believed, on the contrary, it was impossible to over-estimate it, either as regarded its extent, or its effects upon the whole social system, or the importance of meeting such a calamity by legislation. But there were some features in the state of Ireland as it was, before this calamity had come upon it, which ought not to be overlooked. The first he would advert to was this: the Land Commission, of which he was one, consisting of gentlemen, differing in politics, and belonging to different parts of Ireland, having examined 1,100 witnesses, and having visited almost every part of Ireland, had arrived at the unanimous conclusion that there was a manifest and rapid improvement taking place in all classes in that country, except the very lowest. The lowest certainly were not improving, and they constituted, he admitted, a large proportion of the population; and their condition the commissioners had described truly in the strong language which had been so often quoted. But with respect to all other classes, the commissioners stated that in almost every part of Ireland unequivocal symptoms of improvement continually presented themselves, and that at no former period did so active a spirit of improvement prevail, nor could well-directed measures for the attainment of that object have been proposed with a better prospect of success than at the present moment. Every person, or nearly every person, who had had the opportunity of knowing Ireland, confirmed this statement; and the improvement, and spirit of improvement, among all classes but the lowest was discernible even during the present calamity; and might, perhaps, account in some degree for the two circumstances which seemed to surprise the Chancellor of the Exchequer—namely, the increase in the savings' bank deposits, and the increase in the duties of the Custom-house in Ireland, even up to the present time. It was this which now constituted the mainstay, and indeed the only hope, for Ireland; and he would implore the House to take care lest by hasty legislation, at such a time as the present, this spirit of improvement, which was yet but tender, and required to be cherished, were checked or destroyed. If it should be, they would lose Ireland. The next consideration he would advert to was this—that if Ireland was ever to be raised from her present prostrate position, it must be by the Irish cottier being converted into a labourer, paid in money wages, learning to be industrious in his own country as he was in this, and no longer depending on the potato, but upon his own labour and the sweat of his brow for subsistence. He implored the House to beware, lest by legislating hastily, at the present time, they taught him a different lesson. Considering the awful visitation which had befallen Ireland—a visitation, he believed, quite unparalleled in the history of the world—for who ever heard of a country impoverished like Ireland, being deprived in one night of the food of four millions of her population, and of having property destroyed to the extent of, at least, 16,000,000*l.*, and represented now by 30,000,000*l.* ?—he certainly should have thought that the first duty and business of Government, looking to the question merely in an economical point of view, would have been to have cherished the spirit of improvement, and to have encouraged the industry of the people. It was because he thought this measure—the most prominent of the measures of Government—brought forward at such a time when it was impossible it could even have a far trial, for it began with the workhouses full, and 700,000 persons the recipients of out-door relief—would have necessarily the effect of checking the spirit of improvement, and paralysing the industry of the people, that he objected to the outdoor relief to the able-bodied. When the noble Lord spoke of the economical difficulty, he was bound to say it had not yet been shown in what manner the economical difficulty would be removed by the measure of the noble Lord; and he would adduce a few facts which would illustrate the social condition of Ireland, and then ask the noble Lord to solve, by means of his system of out-door relief, the economical difficulty connected with that state of things. There were now several means and public documents by which, or by a comparison of which, if hon. Members would take the trouble of examining them, an accurate view might be obtained of the condition of the social system in Ireland. There was first the census of 1841, a most valuable public document, prepared with great care and by most competent persons. It exhibited the population in various places—density of population, home accommodation, education, property; then there was the Government valuation of each county—and there were also the poor-law returns, giving area, population, valuation, and number of persons rated, with their classification in each union. He held in his hand the result of an examination of these documents in reference to several counties in Ireland. He would just take one or two instances—he would take the county of Mayo. It was a large county in point of extent—1,360,000 acres; he would, in round numbers, to simplify his statements, say, the precise area was 1,363,034 acres, the population in 1841, excluding towns with 2,000 persons, was 370,000. Now, in looking at the character of this population, as regards education, which, of course, constitutes the foundation of social order, and independence, and industry, and improvement, it appears that, without deducting from the population children under five years of age, which, if deducted, would of course reduce the 370,000 considerably, there are no fewer persons above five years old than 255,987 who can neither read nor write. This is the first element in the economical question which the noble Lord would have to deal with. The next aspect in which he would regard them was their condition as respects house accommodation and family arrangements. It appears the population of Mayo consists of 66,945 families, and these families are thus distributed. The census commissioners divide their houses into four classes. The first class, of course, are the best houses, comprising the houses of the clergy and gentry; the second class are farm houses; the third class mud cabins, with mud floor, but having more than one room and having windows; and the fourth, mud cabins, consisting of one single room, mud floors, and no windows. Now, the 66,945 families of Mayo are thus distributed: there are 217 first-class houses, and these 217 houses contain 231 families—an aggregation of families even in the first-class houses; there are 3,012 second-class houses, and they contain 3,306 families—here you have 300 more families than houses; there are no fewer than 22,000 third-class houses, containing 22,605 families; and of the fourth-class houses, mud cabins, consisting of a single room, there are 40,008, containing 40,803 families. This is the social condition of the population the noble Lord has to deal with. Next as to their means: here again the census commissioners adopted a classification:—1st. Families whose means enable them to live without labour, including professional men and farmers of more than fifty acres. 2nd class. Families and artisans who have some means, but who are not exempt from labour, including farmers between five and fifty acres. 3rd class. Heads of families without capital, either in money, land, or acquired knowledge—labourers, in fact, and farmers up to five acres. Now, in this point of view, the 66,945 families are divided as follows:—1st class, 809; 2nd class, having some means, but not exempt from labour, 9,761; 3rd class, labourers without capital in money, land, or knowledge, 54,982—the last class constituting about 300,000 persons. He would now turn to the valuation of Mayo. The valuation of Mayo, including the towns of Castlebar, Westport, Ballina, Ballinrobe, and Clare, the population of which towns exceed 2,000 each, and which are excluded from all the previous statements, is returned as 299,851. Of course, if the towns were deducted, the amount would be considerably less. The first deduction to be made from this are the county rates, which in 1846 amounted to 39,400*l.*, leaving the value of the county at about 260,000*l.* subject to tithe rent-charge, to quit or crown rent, to agency fees and expenses, to losses and necessary repairs, and to the present labour-rate, to say nothing of incumbrances of any kind, for the spport of a population of 67,000 families, consisting of 369,000 individuals, of whom 255,000, above five years old, can neither read not write—63,000 out of the 67,000 families living in mud houses, 41,000 of them consisting of one single room. If he was not wearying the House, he would like to take the case of one of the unions in the same county, of which the House had occasionally heard. He would take the case of the Westport union. This union contained 341,000 acres; its population was 77,952; the number of persons rated was 13,122; of these 13,122, no fewer than 11,156 were rated under 4*l.* each. Now it might be assumed that all of those poor people rated under 4*l.*, all, at least, who still survived, must now be employed on the public works, and, of necessity, they would fall upon the rates. What, then, was the valuation of the union? It was valued at 38,875*l.* So here there is a union, valued at 38,800*l.*, and that valuation subject to county rates, rent-charge, crown rent, agency fees, repairs, and losses, and the present labour-rate, to say nothing of incumbrances—for the support of 78,000 individuals; of whom 11,000 families, or about 60,000 persons, are rated under 4*l.* per head. The Land Commission had received some curious evidence with respect to the state of cultivation in this very union; and he (Mr. Hamilton) would conclude his statement by reading a short extract from it. It was given by a gentleman of no ordinary intelligence and ability, and one whose authority would not be questioned; it was the very rev. John Lyons, the late Roman Catholic Dean of Killala. The commissioners had visited Dean Lyons when they were in the county of Mayo, and seen his improvements. He was a man of great learning, and great energy and intelligence—he died about a year ago, and his loss must be deeply felt by the poor people in that remote district. Dean Lyons states—

> "The arable land is generally held in common, in such a way that it is impossible to improve it. It is divided by lot every two years. Supposing it of three sorts, good, middling, and bad, a man gets a ridge of middling, and a ridge of bad, in different parts of the field. Are those ridges paid by the landlord or by the people themselves?—By the people themselves; all the tenants are liable for the rent. How often does a change take place in the occupation?—Every two years, owing to their mode of tillage, which is very singular; they grow their crops on very wide ridges, which are formed into inclined planes, one side of the ridge being two or three feet higher than the other; the seed is spread upon the ridge, and it is covered from a furrow always dug from the high side, so that every year the mould of the field is moved, by the breadth of a furrow, from one side of the field to the other—hence the necessity for a change every two years. What crops do they take off the land?—Potatoes the first year, and oats or barley the next, and then return to potatoes again; they do not plough, and they seldom dig the land for potatoes, but they take eighteen inches off the high side of the ridge, and throw it over to cover the seed."

Now, in this state of things was the economical difficulty with which he would meet the difficulty suggested by the noble Lord. The noble Lord had asked, supposing out-door relief to the able-bodied abandoned, what do you propose—how do you propose to meet the difficulty? But he would ask the noble Lord seriously, did he expect that his system of out-door relief could be applicable to such a state of things as he had presented in the county of Mayo. Why this morning's paper afforded a commentary upon the plan of the noble Lord. He had seen in the *Times* an extract from a Mayo newspaper, in which it was stated that it was impossible to get labourers who are inclined to do an honest day's work—one of the consequences of being supported for so long a time on unproductive public works. The noble Lord was supported by the hon. Member for Mayo. He would like to see him try his system; first, by way of experiment, as to the efficacy of his own plan of removing the economical difficulty in the county of Mayo. Why, no one could doubt that the noble Lord's system would break down before six months were passed. Instead of introducing great measures for absorbing surplus labour—instead of cherishing the spirit of improvement, and promoting industry and developing the resources of a county like Mayo, and throwing light into, and vivifying and stimulating the energies of that mass of population, and taking advantage of the present occasion to break up the habits and indolence of ages, you are going to practise a cruel delusion upon the people. You are promising relief, which there were not the means of affording them; and if an attempt should be made to afford it, begin with the Westport union. That union would be bankrupt in six months. The pauperism of the Westport union would then extend itself to the whole county of Mayo. It would not be difficult to reduce Mayo to the same condition. The adjoining county of Roscommon was not much removed in its condition from the state of Mayo. Leitrim would soon share the same fate; and he firmly believed that the effect would be what his hon. Friend the Member for Dublin had so well described, that in the end Ireland would be one pauperised union, and the Minister of the Crown the relieving officer.

Mr. JOHN O'CONNELL said, he agreed with the hon. Member who spoke last, that he should much prefer seeing Her Majesty's Ministers meeting the present emergency by some temporary measures, however strong. The noble Lord in the early part of his speech repeated the measures which had been suggested to the Government for meeting the distress, and all of which had met with refusal; and the noble Lord was cheered by the House when he included in this list the proposal for employing the people in the cultivation of the soil. At that time, a fortnight ago, the accounts of the delay in the cultivation of the land were alarming; and since then they had not been mitigated but fearfully aggravated. He had received a great number of letters upon this subject, short extracts from which it would be his duty to read. In the letter accompanying the petition which he presented on Friday, from the Catholic clergy of the deanery of Swinford, diocese of Achonry, there occurred the following sentence:—

> "If Government do not give a supply of spring seeds, the land will not be cropped; and the consequence must be a more dreadful famine next year than even that of the present year. The allegation of an organized combination among the peasantry not to till the land is most unfounded."

This was from the west of Ireland. The accounts from the south were to the same effect. The following was from the columns of the *Tipperary Vindicator*:—

> "It should be perfectly, plainly, and explicitly understood by Government that, in the overwhelming majority of cases, the smaller farmers can do nothing; that their horses—such of them as have not gone to the tan-yards—are incapable of field work; and that they themselves cannot afford to lose the day's pay which the public works contribute. We impressed upon the Government the imperative necessity of help where succour is so much needed, and not throw a responsibility upon the landlord, who may himself be struck to the earth by penury; or who, though morally resposible for the condition of his tenantry, is not now within reach to prevent the gloomiest forebodings from being speedily realized. We were anxious that the true state of affairs should be placed in its revolting hideousness before all parties interested in the salvation of Ireland, from horrors that have never before entered the imagination. It is a time in which nothing should be concealed—in which nothing should be postponed that could be spoken. We felt this. We feel now under the same urgent influence."

He had also received letters from Dublin, stating the condition of things in the richer and more settled province of Leinster, in one of which it was said—

> "The small holder and the poor man with five acres are not making any attempt to till the land; nor are they able. My business being the corn trade, brings me into communication with several counties in Leinster, where I learn there is no sign of the class above-named being able to sow. Some fear the landlord would take the crop, but the bulk are utterly unable. They are prostrate. If instant measures be not taken, the result will be disastrous, and this truly awful year is but the harbinger of another of such increased misery, that the present destruction of life will come to be looked upon as nothing to the frightful circumstances of 1848."

Letters from other places corroborated these alarming accounts. He feared, therefore, the noble Lord at the head of the Government would see cause before autumn approached to regret the strength of his decision, in refusing to furnish seed at a period when private efforts were certainly not made, but when the interference of Government could scarcely be said to prevent private efforts being made, and when the time was passing so rapidly in which the ordinary operations of spring must be undertaken. He thought, he said, the noble Lord would regret his decision in refusing to supply seed, when he found there would be a certainty of more universal destitution than was at present prevailing. There was one statement in the speech of the noble Lord which he could not have perfectly understood, or that the construction he put upon it could not be the true one. He understood the noble Lord to say, that on the 20th March no less than 20 per cent of the labourers employed upon the public works would be dismissed. It appeared to him that the noble Lord spoke not of the temporary relief afforded by the soup-kitchens; but that it was his intention to have the dismissal effected in districts where the new temporary relief measures had not come into operation. If this were the intention of the noble Lord, he (Mr. J.

O'Connell) must declare his strong conviction that anything more perilous, or more certain to produce the most frightful calamities in Ireland, had never been resolved upon by any Government. The resolution would create a violent insurrection in those counties where it was put into execution, for the people had absolutely nothing to fall back upon. If the object was to compel a supply of labour for the farmers, it might be attained by a regulation to the effect that those parties only who refused to leave the public works when they could have farm labour, should be dismissed; but if, by one act, 20 per cent of the whole number now employed were discharged, he feared it would be impossible for private means of employment to absorb them; and if the gratuitous relief arrangements were not ready, the resolution would be found one of the most dangerous that could be conceived. The consequences must be deplorable; and if he were right in the construction he put upon the noble Lord's language, he implored a reconsideration of the decision of the Government in this respect. One word as to the Vagrancy Act which was announced. The extent to which it would go, and the details of the measure, were left for future consideration; but he could assure the noble Lord that in the opinion of those who knew Ireland best, anything like a strong effort to check vagrancy and medicancy would not only be fruitless, but would be the cause of an enormous amount of outrage, violence and crime. The noble Lord had been urged that small occupiers of land should not be allowed to receive relief. He begged the noble Lord to be cautious how he adopted this advice, for the consequence of such an enactment would be that the small farmers would throw up their farms, fall into the class of the utterly destitute, and by additions to that class it would be perfectly impossible to supply the requisite amount of employment. As to the Bill now before the House, he had already said that he must vote for it, not for the reason which the noble Lord had assigned for it, and certainly not for those which the hon. Baronet the Member for Marylebone (Sir B. Hall) had chosen to put into his mouth, namely, pressure from without. He was perfectly conscious that anything Government had yet done, or what they meant to do, would be insufficient to meet adequately this great calamity; and he was ready to snatch at the poor law as a means of saving even a few lives. It would ultimately work evil, though it might temporarily be of benefit in the way of relief. He supported the Bill, in the present distracted condition of Ireland, as a forlorn and desperate hope, and not from believing it could ever be successful, or otherwise than ruinous, if it remained upon the country. But he thought that such Irish Members who supported the poor law would have a right to call upon the noble Lord not to raise obstacles in the way of the satisfactory working of the measure. He greatly feared there was some intention of doing so, whilst the inevitable obstacles in its way were quite sufficient already. What, for example, was the case in England? In England there were 1,400,000 paupers, who were supported at a cost of 5,000,000*l.* It must be recollected that in Ireland they set up a poor law with a pauper population of between 3,000,000 and 4,000,000. Now, if in England it took so large a sum of money as 5,000,000*l.* to support 1,400,000 paupers, what an enormous amount must be absorbed from the impoverished property of Ireland to support between 3,000,000 and 4,000,000 paupers! In the next place, this Bill must produce another inevitable injury—it must crush down the small ratepayers. This had always been his objection to a system of poor law, especially in Ireland. If you could but hit those among the owners of property who were not discharging their duties properly, there would be no objection; but that principle was not attempted to be introduced into legislation. But if you struck at the owners of property, whether resident or absentee, you must hit the class of small ratepayers — a very large body, who would add enormously to the existing mass of pauperism. Already, in numerous districts throughout Ireland, the rates could not be collected from the poorer ratepayers. If, therefore, the outdoor system were extended to them, with its larger demands, he confidently predicted they would be cut down, and that instead of aiding to support paupers, they would themselves become paupers, and thus increase the burden upon property. In addition to this difficulty, he would ask the noble Lord to recollect the fine predictions made in that House when the original poor law was brought in. The predictions of Mr. Nichols with respect to this measure, had been entirely falsified by the result. No person could say before the present famine came—even before 1845—that in any part of Ireland there was any perceptible diminution of pauperism, or that any perceptible good had been done by the present poor law. To the other difficulties of the subject, the noble Lord had added one of his own; namely, the enormous addition he proposed of *ex-officio* guardians. On this subject he had received a number of letters, several from clergymen in various parts of the country. The letter of the right rev. Dr. Cantwell had already appeared, and it was entitled to great attention. In the very county where the power of these *ex-officio* guardians was greatest, the right rev. prelate said, that a noble Lord and an hon. Baronet had been excluded from among the number returned by the magistrates upon account of their politics; and he (Mr. J. O'Connell) must now mention that one was the hon. Baronet the Under Secretary of the Home Department (Sir W. Somerville), and the other was the Marquess of Headfort. The letters he received from every part of the country upon this subject depicted the worst results from the contemplated increase of *ex-officio* guardians. He would read a few extracts from one or two. One letter said—

> "Every opposition ought to be given to that most iniquitous clause proposed by Lord John Russell, equalising the number of *ex-officio* and elected guardians on the boards. It is the paramount duty of every Irish Member, at least, to exert his utmost to prevent the insertion of that clause into the Amendment Bill. Such a clause will furnish additional evidence of the incapacity of a British Parliament attempting Irish legislation."

Another writer said—

> "I implore of you to offer every opposition in your power to the increase of the number of *ex-officio* guardians, as the very worst and most calamitous measure that could be adopted. It will be alike disastrous to the temporal and spiritual welfare of the unhappy paupers . . . . The *ex-officio* guardians are that class to whom the people are indebted for their privations; and instead of controlling them in their misdeeds, new powers are being granted, that additional misery may be inflicted."

Another gentleman thus wrote—

> "If the clause increasing the number of *ex-officio* guardians be introduced, it will render the whole system of poor laws inoperative."

In addition to and in illustration of these letters, he had received reports of a great number of cases, where the miseries of dissensions upon religious subjects had been revived and seemed likely to be perpetuated by disputes between the *ex-officio* and the elected guardians. Now, if anything ought to be avoided, it was these wretched differences; but instead of that avoidance, there had been many and many cases of interference by *ex-officio* guardians with Catholic paupers, with the education of Catholic children, and with the proper treatment of Catholic chaplains; of which, when the House came to that part of the Bill in Committee, he should be prepared to bring forward several very striking instances. He held in his hand a return, showing the constituency from which the *ex-officio* guardians were taken. It was not an official document, but it had been prepared from competent sources; and it contained the numbers of Catholic and Protestant magistrates in Ireland. From this paper it appeared, that in every county the Catholic magistrates were a very small minority; and that in three counties, Donegal, Fermanagh, and Tyrone, there was not a single Catholic magistrate! The total number of Protestant magistrates was 4,623, of Catholics 419—a marvellous proportion. He knew it appeared invidious to allude to these subjects; but he contended it was the duty of Irish Members to give the Catholics of Ireland every protection in their power, by showing in that House that they had not the means of admitting an adequate number of *ex-officio* guardians of their own faith to watch over the Catholic paupers in the workhouses. He did not advocate any privilege or advantage either for Catholic guardians, Catholic children, or Catholic paupers; he only wanted perfect equality and strict non-interference. He had put an Amendment on the Paper, which he should move in Committee, to obviate entirely all chance of collision upon religious subjects, which was inevitable unless the Bill gave security to prevent it. On every ground, upon the ground of safety to the religion of the paupers, of safety to the education of poor pauper children, and of enabling the law to work so as to give relief to the poor, he prayed the House not to add to the number of *ex-officio* guardians. These men might be the best men that could be found—still they were but men. They had to tax themselves, and it was human nature not to burden themselves too heavily. At all events, here was a Bill brought in to make up for what was considered a dereliction of duty on the part of owners of property in Ireland; yet, with strange inconsistency, the carrying of it out was put into the hands of the very party who had the power of rendering the measure null, and of no effect. Though he (Mr. J. O'Connell) was not bound to reply to the noble Lord's question, as to what the Irish party would advise in place of poor laws, not being of them, yet he did not hesitate to say, he should in the first instance have adopted some strong temporary measure, instead of forcing the present doubtful Bill upon Ireland, without there being time for a proper consideration of it. The loan which the Government had granted, ought, he did not hesitate to say, to have been increased three or four fold. That should have been one of the first measures of the noble Lord, for the present loan would be entirely inadequate for the support of the people. If Irish Members were to be taunted by English Members about a loan, again he replied to them that it was no more than the money of Ireland, of which it had been deprived under the operation of an Act carried against its will, which Act had itself been violated to the prejudice of Ireland. The provisions of that Act, which gave some chance that some of the money of Ireland might have been spared to her, had been grossly violated. He denied the assertion which he had often heard repeated, that the people of Ireland had been unduly relieved from taxation; and now, when he brought forward the suggestion that the proper measure at this crisis would have been a large loan for Ireland, he was prepared to state the reasons why he regarded it as a measure of simple justice. It was declared at the Union that it would be manifestly unjust to put the debt of England then existing upon Ireland. There was then an excess of 16 millions of annual debt charge paid by England, over and above the amount paid by Ireland. That amount of excess was of course to be paid by England separately; and the respective payments to the common expenses were fixed to be in the proportion of two parts by Ireland to fifteen parts by England. In 1816 it was declared that the proportion was unjustly heavy towards Ireland. The Act of Union had provided for the revision of the proportions at the end of twenty years, and especially provided that Ireland should not be subjected to the liability of the English debt, unless it should be found that Ireland had so improved in her circumstances as to justify a proposition for equalising the amounts. The Consolidation Act was brought in and passed in that year, subjecting Ireland to those equal liabilities, although at the same time it was distinctly confessed that Ireland, so far from being so improved in her condition as to enable her to bear that tax, had become poorer and still more in debt. He, asserted, then, that the United Parliament, in 1816, did that which, according to the terms of the Act of Union, it was not competent to do. It violated the terms of the Act of Union, by which that United Parliament sat, and it did an illegal, unjust, and unconstitutional act in subjecting Ireland to the debt of England. But for the Consolidation Act, England would have borne that 16 millions debt herself by separate taxation, instead of having made any portion of it chargeable upon Ireland, which she did even now, as the English separate taxes were only 12 millions, and before the income tax they were but seven. If then, instead of a loan, it were an absolute grant, it would have been but justice. But it was only a loan. They were taking the security of the lands of Ireland for one half of the amount, and the other half came out, not of the taxation of England alone, but of Ireland also, unduly swollen as it was by the English debt charge which had been unjustly thrown upon the common taxation of the two countries. Therefore, when the noble Lord said, "Is England niggardly now?" he said, that as represented by private individuals she was most munificently liberal and generous, but when represented by acts of that House she was neither one nor the other. If the Government had made a large loan at once, in order to construct Government railways, as in France and Belgium, or in order to extend the plan for the reclamation of waste land, much good would have been done; but the present measures were far too small to fill the vacuum occasioned by the destruction of the potato, of seed, of the stock on the land, and of manure. The noble Lord ought to have come forward with a proposition to tax the absentees. No fairer tax than that could be imposed; and though it might be called a strong measure, he reminded the House that the emergency of the times required strong measures. They ought, he said, to do their duty fearlessly, as against the rich absentee, instead of calling upon the poor ratepayer, whom they were now unjustly bearing down, whilst they allowed the rich absentee to go scatheless. Some hon. Gentlemen had been taunting the Irish Members, and asking them what they would do if they had the repeal of the Union? Now, he must say, whatever might have been the faults of their own unreformed Parliament, it would have been impossible for any legislation of their own to have reduced their country to a worse condition than the United Parliament had brought it. Had they possessed a Parliament of their own, they would have prevented their country sinking so low as she now was. Their own Parliament, acting upon the influence of the popular mind, would have taken care of the people and improved the condition of the country; but the popular mind of Ireland had no influence in that House; and hence the course of pernicious legislation which had been pursued with regard to that country. The hon. Gentleman the Member for Bath had threatened them with a restoration of their own Parliament, and had tauntingly asked what they would do if they were told to shift for themselves? He (Mr. J. O'Connell) would readily accept the offer, for he knew there were resources enough in that country, if they only had their own Parliament to develop them. To show how imperfectly developed the resources of Ireland were, let him refer to three taxes which were equally imposed on England and Ireland—he meant the customs, the post-office, and stamps. These taxes produced in England between twenty-seven and twenty-eight millions; whilst in Ireland they only produced three millions, instead of twelve millions, which they ought to have produced, in the proportion of the populations as eight to eighteen, had the condition of the people been properly improved. He had heard it said in that House now more than once, that they ought to increase the taxation of Ireland, and that this poor-law taxation which they were going to impose was just and equitable, because there should be an equality between the two countries. But how did they begin that equalisation? They began with the burdens, instead of with the rights and political privileges which should be equal between the two countries. Before going into Committee, he wished to press upon the mind of the Government, that they were sowing the seed of fruitful discontent and of religious dissension, by the introduction into this Bill of the *ex-officio* clause. It had been advocated in that House as the means of giving peace and tranquillity to Ireland; but he warned them that the contrary would be the fact, and he told them that if his prediction that relief would be impeded by increasing the number of *ex-officio* guardians should not be fulfilled, it would only be because the people, exasperated and maddened, would bring the pressure of agrarian outrage to bear upon the *ex-officio* guardians, and would frighten them into giving relief.

Lord COURTENAY, as one connected with Ireland, although not resident there, and therefore, he supposed, coming under the designation of absentee, was anxious to state that he should give his sincere support to the Bill now before the House. If, as some had done, he could look at the Bill as one framed to meet a temporary emergency only, he should feel bound to oppose it, as entailing absolute ruin on Ireland in the circumstances in which she was now placed. Or, if he could look at it as a measure separate from those which had already been placed on the Table, and those others which he soon hoped to see introduced, then he should also feel that it would be calculated to do mischief. But, regarding it, as he did, as the most important of that set of measures which had been introduced by the noble Lord, and which were intended to operate concurrently and contemporaneously, he felt justified in reckoning on it as a most important instrument in the moral and social regeneration of Ireland. After listening to the statement of the hon. Member who had spoken before in the course of the evening, with respect to the county of Mayo, he would say that if they depended an the Poor Law Bill alone, not only Mayo, but all Ireland, would be ruined. He wished that he could impress on hon. Members, whether representing Mayo or any other county, that it rested on the landlords of Ireland to avert the impending ruin of Ireland, by availing themselves of the resources which were now afforded them for giving increased employment to the people. Not only, however, must they now exert themselves to avert the impending ruin, but they must also ultimately bear their just share in the exertion that was necessary towards the general improvement of the community. He believed that this extended Poor Law would not only be a necessary stimulant to the landlords, but that it would also ultimately effect a most beneficial change in the habits of the people. One question, however, did not seem to him to have been answered—it was, what was to be done with the existing state of things in Ireland? The noble Lord, in his speech the other night (a speech which left an impresion on the House that would not easily be effaced), told them he had put that question to the deputation which the other day presented a memorial to him; and what replies were made? No satisfactory answer to his (Lord

Courtenay's) mind had yet been given in the course of the debate. No answer had been given; but the fact remained, that there were two or three millions of people in Ireland, who if not employed or relieved must starve. He was not one of those who would defend, in every point of view, the working of the Labour-rate Act of the last Session. That measure had been spoken of as a gigantic system of out-door relief; and, no doubt, it did establish a system of out-door relief without the safeguards provided by the Bill now before the House. He had always thought that the Labour-rate Act would have worked better if the Government had gone a step further, and had taken the smaller divisions for the purposes of taxation. But, though he differed in opinion from the Government on that point, yet, having had practical experience of the operation of the Labour-rate Act, in an important district of Ireland, he thought it right to say, that that Act had been the means of saving the lives of hundreds of thousands of people in that country; and, considering the crisis the Government had to meet, he thought it was unjust and unfair to deem that measure—as some hon. Gentlemen had declared it—a complete failure. But in the out-door relief contemplated by the Bill now before the House, he saw safeguards and provisions which were not contained in the Labour-rate Act. Some hon. Gentlemen seemed to imagine that immediately on the passing of this Bill the 2,000,000 or 3,000,000 of destitute persons in Ireland were at once to be placed upon the books of the unions, and to receive out-door relief. He thought, however, that if those hon. Gentlemen would carefully study the first two clauses of this Bill, they would see that the principle upon which it was sought to legalize out-door relief, and the conditions by which it was to be restricted, would guard as far as possible against abuse, and allow the administration of such relief only in those cases to which he considered justice, policy, and humanity required that it should be extended. This Bill, as he understood it, admitted that right to relief of all destitute persons, not being able-bodied, either within or without the House, at the discretion of the guardians. The Bill also recognised the right to relief of those destitute persons who were able-bodied; but that relief was subject to such conditions and tests as the Commissioners and the guardians might think fit to impose. The Bill admitted out-door relief only in these two cases—first, in case of there being want of room in the workhouse; and secondly, of the workhouse being unfit, by reason of fever or other infectious disease, for the reception of inmates. He must say that he thought the most wise and prudent course for the guardians to take, rather than commence a system of out-door relief to the able-bodied, was, if they saw reason to believe that the workhouses would be full, to give out-door relief to the aged and impotent, and to make room for the able-bodied in the workhouses. He considered that the Legislature ought to take care that no destitute person in Ireland should starve, but that, by the law of the country, every destitute person should have a right to relief. If they stopped short of this they would, in his opinion, fail to produce that respect for property, and that moral improvement, which he believed might be expected to result from the measure now before the House; they would fail also to give that stimulus to employment to which he looked as a collateral result of this Bill; and they would deprive themselves of the right of imposing a law of vagrancy, which would be one of its legitimate consequences. He supported this Bill, because he believed it to be essential to the welfare of Ireland; and because he thought it would impose a most fair and equable absentee tax; for under such a tax as would be the consequence of the poor law, absentees would be subjected to an equal burden with those who resided in the country, and this might induce them to endeavour to mitigate that burden by providing employment for the poor. Without committing himself to all the details of the measure, he would cordially support the general principle of the Bill.

SIR D. NORREYS said, it was his intention to support that part of the Bill which referred to the giving of out-door relief. He believed the present emergency was but temporary, and thought it much better to enable the board of guardians to meet that emergency by supplying out-door relief, than by going to the expense of erecting workhouses, which the permanent condition of the country would not require. He thought the objection made by the hon. Member for Kilkenny to the disproportionately small number of Roman Catholic magistrates as compared with Protestant, might be in some measure removed by constituting all magistrates *ex-officio* guardians. The hon. Member for Marylebone had made an impression the other night to the disadvantage of the Irish gentry, when he referred to an act of liberality on the part of a servant of Colonel Gardiner exceeding that of many of the landlords. It was stated that Colonel Gardiner's servant had subscribed *5l.* towards the relief of the poor of Mallow; but he had since ascertained that the servant had saved that sum owing to his having become a member of the Temperance Society, and that he sent the money to his father and mother, and not to the poor generally. That was a very excellent trait in his character; but it was a very common one amongst the Irish, and should not be quoted for the purpose of contrasting the benevolence of the lower classes with that of the landlords. He thought, however, that under existing circumstances every man in Ireland was bound to diminish all unnecessary expenditure. The man who kept hunting or racing horses was equally culpable with the man who kept hounds; when so many of our fellow-creatures were in such great distress, champagne should be dispensed with, and every article of luxury abandoned. This was the duty of Irish landlords; but, at the same time, Englishmen should recollect that since the conquest of Ireland by Henry II., that country had not been in a prosperous condition. The Englishmen since that time had their own governors in Ireland, and only such laws were enacted as pleased themselves. Yet that country was now in such a state that it was a disgrace and opprobrium to England. Now, however, when the thing touched the breeches pocket, Englishmen began to look at the state of Ireland; but instead of asking, "Have we mismanaged this country, or how is it that, while we have progressed in prosperity and happiness, these people, whom we call our brethren, and a part of the United Empire, should be in the miserable state described by the hon. Member for Marylebone?"—instead of asking, "Are we not answerable for the condition of these people?" you (said the hon. Member) make the Irish landlords the scapegoat to bear the burden of your transgressions. You say, "Here are the men who caused all this misery." But have not the Irish landlords been your tools? Did we not conquer Ireland for you? Did not we maintain it for you? What is it that has put us in the position in which we now stand? There are few landlords in Ireland who are not Protestants, and who are not looked upon with some degree of disgust by the people of Ireland. What is the cause of that? Is it not because we have been doing your dirty work in Ireland? Have we not been carrying out your own views in that country? Was it not for your sakes that we kept down the Catholics? Did you not make the Protestant landlords your instruments in keeping down the Catholics of Ireland? How many years did you keep us in this position? You knew right well you were making us act as taskmasters over serfs, and the natural consequence has been that we have been abhorred by those serfs. You used us as long as you could for your own purposes, and now that you do not want us you turn round upon us, and accuse us of being the cause of all the evils by which we are surrounded. Recollect, the English landlords inherit their estates subject to poor rates, and they have altered the poor laws to diminish the expense of maintaining the poor. We in Ireland inherit our properties with a wretched mass of pauperism around us. We did not create that pauperism. We received it from our forefathers, to whom it was transmitted by their predecessors. A tax (continued the hon. Member) was now going to be imposed on the Irish landlords for the relief of the poor of Ireland, and the landlords were not disposed to offer any resistance to a measure which bid fair to remedy some of the evils of that country. He hoped that the English Members would, before they voted upon this question, fully inform themselves of the present condition of property in Ireland. They would find on inquiry that by the present system the poor of the country were driven into the towns, and that the owners of houses and property in the towns were unjustly obliged to support them. He was of opinion that the electoral division system of rating would inflict great injustice on the owners of property. After the proprietors of land in the country had cleared their estates of paupers, and driven them into the towns, they called upon the proprietors in towns to support them. Now, as the proprietors in towns were but very inefficiently represented, he hoped that the English Members would act justly in reference to this Bill, by duly acquainting themselves with the facts of the case before they voted upon it. This Bill would inflict a great injustice unless it were made to operate retrospectively, and extend to the last four or five years, so as to make landlords liable for the support of the poor whom they had ejected from their estates within that period, and thrown upon the towns for relief. He was afraid that he should not be able to be present when this Bill was in Committee; but he earnestly appealed to the justice of the English Members to take care that a clause was inserted which would compel the owners of those cleared estates to take their just share of the burden of supporting the poor of Ireland. He would support the Bill if such a clause as he had suggested were inserted.

Mr. VESEY admitted that the charges which had been preferred against the Irish landlords the other night by the hon. Member for Marylebone, and by other English Members, were well founded as regarded a few persons; but he denied that they were just as regarded the Irish landlords generally. For every one of the individual charges which the hon. Member for Marylebone had brought against individual Irish landlords, he could bring ten, aye, twenty, landlords who had exerted themselves to the utmost in behalf of the poor of Ireland, who had spent their money and their fortune, who had devoted their time and exerted their best energies to endeavour to stave off the evils with which Ireland was at present afflicted. The chief charges that had been made against the Irish landlords were, first, that in their public capacity of guardians of the poor, there had been a great dereliction of duty. The next charge was, that they had not given a sufficient employment to the people, and thereby produced, in a great measure, the pauperism with which Ireland was afflicted; and the last and most important charge was, that they had not contributed sufficiently to the wants of the people of Ireland during the present crisis. With regard to the first charge, he would refer the House for an answer to the blue books which had been laid before them with respect to the present condition of the workhouses in Ireland. It would be found that in one workhouse that was built for the accommodation of 658 individuals only, there were at present located therein 950 recipients of relief; in another, which was built for the accommodation of only 950, there were 1,001; in that at Clonmel, built for the accommodation of only 660, there were at present 805; and a similar state of things at present existed with regard to the whole of the workhouses in Ireland. He was himself a guardian of the poor in Ireland, and during the time that he was in that country, instead of witnessing any disposition on the part of the guardians to keep open the present workhouses for the relief of the poor, he saw on all sides a most unanimous desire on their part to extend the accommodation of the workhouses, and to contribute, as far as they possibly could, to the support of all those who were considered proper objects of relief. Now, with regard to the next charge, viz., that of their not having employed the people, and thereby thrown them upon the public works, he could only say that the Irish landlords had employed the poor of Ireland during the present crisis to a very large extent, in draining their lands. He had seen in all parts of the country the greatest disposition and anxiety amongst the landlords to employ the poor people on their lands. It would be found by the blue book on the Table of the House, that as soon as the receipt of Mr. Labouchere's letter, works of drainage were commenced throughout the country to a very considerable extent; that at every presentment session which was thereafter held, large sums of money were voted for the drainage of the lands of the landed proprietors. He would quote to the House an instance or two in which such had taken place; in Cork, between September and January, presentment sessions were held, at which 8,400*l.* were voted for public works, whilst 85,000*l.* were voted for drainage. At Donegal, 4,700*l.* was voted for public works, whilst 16,000*l.* was voted for drainage; and in Queen's County, 9,000*l.* was voted for public works, and 21,000*l.* for drainage. With respect to the charge that the Irish landlords had not contributed sufficiently towards the relief of the people, he had documents showing that last year there had been above 100,000*l.* subscribed by local committees for the relief of the poor; and he might say, in consequence of information derived from correspondence and other private sources, that the sums subscribed generally throughout the country doubled or trebled that amount. If, then, as he hoped he had shown, there had been no remissness on the part of the landed proprietors in contributing to the relief of the poor, why, he would ask, should the House impose upon them the dangerous experiment contemplated by this Bill? They had the evidence of Mr. Twisleton, the officer of the Government in Ireland, that the proposed labour test would operate prejudicially to the interests of Ireland. Many

English Members had said, "Why should not Ireland be taxed for the support of her poor as heavily as England was for the support of her poor?" But they appeared to forget that the same principle which existed in England could not with justice be extended to Ireland, on account of the difference in the rental of the two countries. He was firmly persuaded that, if they insisted on carrying into effect the proposed out-door relief test for the able-bodied poor, they would impoverish the landed proprietors of Ireland; they would considerably increase the pauperism of that country; and they would soon see Glasgow, Liverpool, and Bristol inundated with the poor population of Ireland; and that country, instead of being the right arm of England, would then become an everlasting burden and incubus upon the best energies of England.

MAJOR LAYARD fully agreed with the hon. Gentleman who had just addressed the House, that it would have been happier for the House and for the country, if, instead of attacking the landlords of Ireland, a closer attention had been paid to the circumstances of the calamity with which they had now to deal in Ireland. He thought the noble Lord the Member for South Devon (Viscount Courtenay) had taken a very fair view of the subject. The noble Lord had declared, that, though he felt some apprehensions as to the poor law, he nevertheless approved of those other measures which Her Majesty's Government had introduced for the alleviation and improvement of the social condition of Ireland; and that, though connected with property in that country, he would on that occasion give to the Government his support. He (Major Layard) was one of those who, ever since he had known Ireland, now fifteen years, had been convinced that no good would ever be done there without a poor law. He had prophesied, when the poor law which now existed was passed, the necessity would very shortly arise for the adoption of a measure of a wider character and a more extensive operation. He, for one, was an advocate of a system of out-door relief. If such a system were not now brought forward, how could they expect any law, situated as Ireland now was, to be beneficial to the people? The workhouses could not now receive one-twentieth of the applicants for relief; and many thousands would inevitably perish, if they were compelled to wait while the poorhouses were being built. He admitted that many very great difficulties surrounded this question. He acknowledged that from the position in which they were placed, many of the landed proprietors of Ireland could not but grudge taking that part which they were called upon to play in coming to the aid of their countrymen; but the majority of the people should be the consideration for that House to decide upon; and though it might be proved that some few would suffer, still the good of the many must prevail. It was not the fault of the people that they needed the charity of the House. There were industrious men who had no opportunity of earning a livelihood by the sweat of their brow; and there were the wretched and the pauperized, who by no exertion of their own could rise from the state to which they had been reduced. The Government deserved great credit for proposing the 10th Clause of the Bill, by which it would be enacted, that after 2*s.* 6*d.* in the pound had been paid out of the borough rate, the expenditure would then come on the electoral district. The towns would then be relieved of an enormous burden of vagrancy and mendicancy, and the tax would be equably divided over the land. He had heard hon. Members threaten to bring forward a Bill to impose an absentee tax; but their object would effectually be attained by the measure now before the House. A poor law was the best absentee tax. When a poor law was carried for Ireland, it would be the interest of many proprietors to remain resident on their own estates, in order that, by extra care and carefulness, they might compensate themselves for that loss to which they would be exposed when they had to maintain the poverty of the country. Their only alternative would be, to furnish employment to those dependent on them; and in this way the great capabilities of the country would be fully developed. They would not be able to carry an absentee tax for Ireland, without imposing one also upon Ireland. Hitherto, the poor had supported the pauper; the rich had not contributed in proportion; and as the great mass of the people were now equally destitute, the time was come to put the saddle on the right horse, and to insist that the property should support the poverty of Ireland. He did not believe that those hon. Gentlemen and noble Lords who had protested against the principle of out-door relief, represented the real sentiments of the majority of the Irish people. Upon this poor-law measure must necessarily depend the successful working of every other measure introduced with the view of bringing about a change. Their primary object was to find employment for the thousands of labourers who now were idle; and that would never be effected until they made it the interest of the landed proprietor to give employment and to improve his estate to the utmost extent. He felt some diffidence in speaking on this point. He himself possessed but a small property in Ireland, and it might therefore be said of him, that he could afford to approve of the measure, inasmuch as it would but slightly affect him. Such, however, was not the feeling, he could assure the House, which actuated him. The burden on him would be heavy in proportion to his income; and it did not matter whether a man's property were small or large, so only that he proved himself willing to pay according to his means. He had always been anxious for such a law as this. He thanked the Government for having introduced it. No other Ministry had ever attempted so much; and they might rest satisfied that, in proceeding thus boldly, they had earned the blessings of the poor of Ireland. The noble Lord the Member for Lynn had expressed a hope, when speaking on the Railway Bill, that, if it were passed, it would be the means of feeding the hungry with good things. He (Major Layard) trusted that this measure, in conjunction with other measures, would tend to the same end, and that the rich would not turn the hungry away empty-handed.

LORD J. MANNERS said, the noble Lord (Lord J. Russell) who commenced the debate had introduced the subject-matter of it with a brief sketch of the other measures which the Government had proposed, or were about to propose, not only for the temporary relief of the present destitution in Ireland, but also for the permanent amelioration of the condition of that country. He trusted, therefore, he might be excused if he prefaced the very few observations he intended to make on the Bill before the House by some remarks on those other measures—measures, indeed, which were intimately and practically blended with the consideration of the Bill more immediately under their notice. He agreed most entirely in the opening remarks of the very able pamphlet of Mr. Godley, on the subject of the Irish poor law. Mr. Godley said, that neither this nor any other poor law could ever be of avail unless great and comprehensive measures were carried into effect for the absorption of that great mass of unemployed labour which the social revolution in Ireland would drive out of the customary channels of labour. Herein consisted his (Lord J. Manners') dissent from the doctrines of the hon. Member for Stroud (Mr. P. Scrope), and the hon. and learned Member for Bath (Mr. Roebuck), and that school of exact philosophers who seemed to think, so at least he gathered from their speeches, that when they had enacted a generous poor law for Ireland, and declared the absolute right of every poor and destitute person to relief, they had accomplished everything. He, on the contrary, believed that unless they, at the same time, did a great deal more, they might as well do nothing. In his opinion, the number of poor persons who were to be dependent for a permanent subsistence on the poor law was so great as to absorb and crush all the means and machinery by which that poor law, when alone, could be carried out. It seemed to him to be a mockery to the Irish people to say, that by this measure alone they proposed to ameliorate their condition. No one, for instance, in his senses, would say that now, at this present moment, this or any other poor law could support that enormous mass of people at present dependent on the State provision for the means of obtaining food. It consequently became their duty, in considering the poor law, to weigh and calculate and foresee how the circumstances of Ireland could be made to accommodate themselves to the permanent existence of a system of poor-law relief. He would proceed to ask what were the measures which the Government had proposed for the purpose of meeting that state of things which now stared them in the face? They knew what the great facts of the case were. They had it on the authority of the Poor Law Commissioners, that a population of 1,200,000 able-bodied men were in the habit of procuring a subsistence from a system of potato cultivation, while a population of only 300,000 would find the means of subsistence from what he might call a corn system in England. It was admitted that this potato system had come to an end, and that it should not, even if it could, be restored. Supposing, then, the calculation of the Poor Law Commissioners to be correct, they had it as a fact that, for the future, 900,000 heads of families were deprived of the ordinary and heretofore-accustomed means of employment and subsistence in Ireland. Now, admitting that there was exaggeration in this statement; admitting, as he was prepared to admit, that the land of England might beneficially employ a far greater proportion of labourers than it at present employed; admitting, as a consequence, that the land of Ireland may beneficially employ a far greater number of labourers than this estimate would allow; admitting all these things, and making every deduction, still, he maintained, we could not, taking the most favourable view of the case, arrive at any other conclusion than that at least 600,000 heads of families would, for the future, be deprived of their usual means of support. Then, did any person mean to say, that as a permanent item in the Irish social economy, 600,000 heads of families could be maintained by a system of poor-law relief? He believed that no one would be sufficiently bold to hazard such an assertion. And he now came to consider those measures which Her Majesty's Government had concurrently brought forward to enable this system to work at all in Ireland. He granted, and he was happy in doing so, most unreservedly, that these measures, in his humble opinion, were good. His only complaint against them was that they were most inadequate. The noble Lord, the Prime Minister, in his first great speech this Session, in developing those measures which he deemed calculated to benefit Ireland, laid considerable stress on a scheme for the cultivation and reclamation of waste lands in that country. In his speech the other night, however, the words "waste lands" were never uttered; not the most distant allusion was made to that proposal. He did not know if they were to conclude from this ominous silence that the scheme had been abandoned. He would fain hope and believe that such was not the case; but supposing that it would be persevered in, and admitting that it would be crowned with all that success which had been anticipated by the noble Lord — yet, even taking the noble Lord's own figures, they could not delude themselves into the conviction that it would effect any considerable influence on that immense amount of unemployed labour of which he had spoken, and which was to be a permanent feature in Irish society. The noble Lord proposed to expend a million of money in cultivating the waste lands of Ireland; the lowest estimate at which he (Lord J. Manners) believed such a plan could be carried out would be 10*l.* per acre; and this would enable the noble Lord to cultivate about 125,000 acres. The noble Lord proposed that thirty acres should be the average size of the farms—and that would create a class of peasant-farmers amounting to 5,000 souls. They had, therefore, 5,000 heads of families subtracted from that number, which he put very lowly at 600,000. His noble Friend the Member for Lynn, whose accuracy in such matters no one in that House would attempt to dispute, made the calculation still lower—at 3,500; but he (Lord J. Manners) was anxious to give the noble Lord the benefit of every doubt; and he would take so high a number as 5,000. But after the manner in which that proposition had been received—after the contemptuous allusion to it of the hon. Member for Wycombe—after the still more ominous ridicule of the right hon. Member for Tamworth—he could not be sanguine that it would ever be carried into effect; still he would admit that 5,000 heads of families were to be provided for by this scheme of waste lands, and he would now come to consider what the noble Lord proposed by any scheme of colonization. The noble Lord informed them on the first night of the Session that he did not propose to extend very largely the system of Government aid for emigration. He believed they were to have an increased grant for that purpose; but the noble Lord had not said how many heads of families would be provided for by that vote. He believed he would make a large allowance, however, if he set the number down at 10,000. Then they were to have extended fisheries and employment on public works, and the expectation was held out that the Irish landlords would employ more labourers than hitherto they had done, owing to the loans which they were to receive from Government; but here he must remark, that when they considered that the Irish landlords had been receiving for the last two years a very small amount of their accustomed rents, perhaps it might be found that the loans would merely reinstate them in the position they were in three years ago. Admitting, however, that it would enable them to employ an additional amount of labour — admitting that the employment on the fisheries and the public works would take up a considerable number of people—taking the Government schemes all together—the system of waste lands and emigration, and loans to landlords, and fisheries and public works, he could not arrive at any conclusion more favourable than that 100,000 heads of families would be employed. Then, what was to become of the 500,000 heads of families still left, embracing a population of 2,500,000? His noble Friend the Member for Lynn had proposed a scheme that would have employed the people of Ireland, and tended more to promote national works and the cultivation of the soil in that country than all the propositions of the noble Lord put together; but, in order to save a Government which his noble Friend did not wish to endanger, the House thought it right to cast out that proposition. On this point he would not at present say more, as he believed, that after Easter an hon. Gentleman (the hon. Member for Wycombe), whose opinion, like his own, had been more and more strengthened by reflection as to the necessity of that great measure, would bring that subject again before the House. In the meantime, they had still, after all the deductions which had been made, 500,000 heads of families to provide for. The noble Lord and his Colleagues had laid, on all occasions, great stress on the indirect efforts which the landlords of Ireland might be expected to make to provide for these people. He agreed with all that they had said on that subject; they had a right to expect increased exertions from the landlords of Ireland, and they might fairly expect from the increased cultivation of the soil an increased attention to the employment of the people. But it was because he agreed with the noble Lord's language and advice on this subject, that he was bound to dissent from an important part of the Bill now on the Table of the House. If, however, they were to rely greatly on the exertions of the Irish landlords for the employment of this enormous array of dislocated labour, they were bound to take every precaution that the system of poor laws which they were extending to Ireland was such as should encourage and stimulate, not depress and prevent, the exertions and industry of all classes of Irishmen. More especially did he think it important that they should guard against anything in the Bill that would depress the energies of the Irish landlords. Now, in approaching this question of a poor law for Ireland, he felt that it was the most important question, perhaps, they could be called upon to decide. This was no temporary measure, but a measure which, if its provisions were calculated to call out and stimulate the energies of the Irish people, might at no distant period enable Irishmen of every grade to look back rather with feelings of consolation, than of sorrow and despair, to the great calamity that had fallen on their country; but, on the other hand, if it was a measure the provisions of which were calculated to depress and keep down the exertions of the people of Ireland, though every one of its clauses might appear advantageous on abstract principle, they would yield but little consolation to any one who assisted in passing them when it was known that they led to the ruin and depression of that unfortunate country. Now, the operation of this Bill did tend in the most direct manner to repress the exertions of the Irish landlords. He agreed with the view so happily maintained by the hon. Member for Northamptonshire (Mr. A. S. O'Brien) the other night, when he objected to that part of the Bill which put the good and bad landlord on the same footing, that made no discrimination between the landlord who improved his estates and attended to the wants of his territorial dependants, and the landlord who squandered all the income of his estates at Bath or Naples, wholly unmindful of the welfare of those whose happiness it was his duty to promote. It was impossible that they could shut their eyes to the public facts now exhibited before them. They saw on every hand the lamentable results of a system of out-door labours pursued by the Government; and they invited every English Member to resist the imposition on his Irish brethren of a burden which he himself did not bear; they called upon him to resist the imposition of a burden which, if put on the Irish landlord, must also come to fall upon him, and thus put an end at last to that ancient territorial and parochial system with which so much of the glory and grandeur of England had been from ancient times bound up. The effect of the proposed system would be, that when a man had done all he could do, and had placed his property on a comfortable and satisfactory footing, he would be compelled to bear that share of the burdens which should fall on his avaricious or careless neighbours. Just let the House conceive the feelings of such a man, who, after raising the condition of the peasantry around him to that of a cheerful and contented tenantry, after having forborne to place them as a burden on his country, was waited upon by the tax-gatherer, who admitted that he had done all this well, and that he had acted a patriotic part towards his country; and then pointing to the broad acres of his neighbours, or of some one, perhaps, beyond the adjoining mountains, who had won, it might be, the last steeple-chase at Paris or on the Campagna, and whose tenants only knew of his existence by the visitations of his agents, told him that because that man had burdened his country with unprovided poor, therefore he, who had discharged his duties aright, must share with him the penalty of his neglect. He could not support a system of poor law that would lead to conclusions like this. He did support, with the noble Lord, the principle of outdoor relief in Ireland, guarded as it was by the Bill. He did not think any poor law would be efficient without it; but he objected to the system of making a man who did his duty pay for the man who did not. Unless the House would show on this subject more wisdom than had hitherto been shown by Her Majesty's Government, and make the property of Ireland answerable for its poverty, in such a manner so as not to depress and annihilate that property, on which its prosperity must depend, they would be inflicting a curse rather than conferring a boon on Ireland. He agreed with the noble Lord (Lord J. Russell) in the hope that the old feuds and old jealousies of bygone years would be extinguished in Ireland. He hoped that in this great affliction that had fallen on the nation, those old jealousies would be buried in oblivion; and that the future historian, after recording the sad struggles between the two rival communions and the two hostile races; and after painting the horrors of this eventful winter, would be able in a new chapter to say—

> "Henceforth all discord ends,
> One common woe hath made two rivals friends."

But if (said the noble Lord in conclusion) by insisting upon the large area of taxation, you reduce the good and bad landlords of Ireland to the same level, and simply confiscate its property in the vain hope of supporting its poverty—if you resist the advice of those best acquainted with the condition of Ireland—be not surprised if, as year after year Irish misery and Irish discontent continue to supply a never-failing theme of discussion in Parliament, we answer the question Bishop Berkeley asked 100 years ago, "Whose fault is it if poor Ireland still continues poor?" by a sad and somewhat reproachful reference to the Government and Parliament of 1847.

Mr. LABOUCHERE thought the House would do well to confine the discussion in the present instance as much as possible to the questions involved in the main principle of the measure now before them. He would not, therefore, follow the noble Lord who had just sat down into the question of whether the poor-law rating should be placed in unions or electoral districts; nor should he advert to the observations made by hon. Gentlemen on the proposal to increase the number of *ex-officio* guardians, because, instead of mixing up all these subjects in one discussion, he thought it would be a wiser course to consider them in detail in Committee, when the various clauses were brought forward; and that they should on the present occasion confine themselves to the main principle of the measure. That principle was one of a most important character. It was, simply, whether the right to out-door relief should be, however qualifiedly, extended to the able-bodied poor in Ireland. He confessed he should be perfectly willing to rest the justification of the measure proposed by Her Majesty's Government on the speeches that had been made in vindication of that principle, by Gentlemen connected with Ireland who had addressed the House. He alluded particularly to the speeches made by the noble Lord the Member for South Devonshire (Viscount Courtenay), by his hon. Friend the Member for the county of Waterford (Mr. V. Stuart), and by the hon. and gallant Gentleman the Member for Londonderry (Captain Jones). These Gentlemen, as they were well entitled to do by their experience as Irish landlords, and their acquaintance with the whole concerns of Ireland, as well as the honest anxiety they had always shown in their respective localities to improve the condition of the people around them—these Gentlemen, so well entitled to express opinions that should have weight with the House on this occasion, had come forward and expressed their views. And what were these Gentlemen? They were no theorists—not Gentlemen animated by a disposition that some had attributed to English Members, to pursue this subject in a spirit reckless of Irish interests. And what was it that they had concurred in saying was necessary in present circumstances for Ireland? They all concurred in saying, that this House should affirm the proposition which he had already stated to be the principle of the Bill. One of them had said, that he had always been opposed to the extension of out-door relief to able-bodied persons in Ireland. The Government had considered this as no light question. The great calamity which had afflicted Ireland had totally changed the condition of the destitute people of that country. Relief by almsgiving was at an end; the potato was at an end; and the great body of the labouring poor of Ireland must starve unless they were able to earn wages, and support themselves by their labour. It was impossible that the support of this great body could be left to chance; something must be done by the Legislature for the support of these persons; and he must observe that, although the House had arrived, he hoped, nearly at the end of this discussion, they had heard no satisfactory answer to the frequent question put by his noble Friend to the House, and especially to that portion of it who objected to the measure, namely, what was to be done; what was proposed to be substituted for this Bill? No one had said that the destitute people of Ireland were to have a permanent right to be supported at the expense of the Imperial Treasury; on the contrary, all had admitted that whatever future assistance might be required by the destitute in Ireland, it should fall upon Ireland; that the destitute people of Ireland should be supported by the property and the soil of Ireland; and that was the principle of this Bill which the House was asked to affirm; and he had no doubt that the House would, by an immense majority, of Irish as well as English Members, affirm that principle. The noble Lord who had just sat down, had based his objections, not so much upon the measure itself, as upon the ground that it was not accompanied by other measures of a large and comprehensive description, which, he said, should have been introduced at the same time. He agreed with the noble Lord so far in his views, that this measure should be considered as part of a general scheme for the amelioration of Ireland; but he could not help suspecting that the noble Lord alluded to one particular measure (which was a great favourite with him), namely, the railway scheme of the noble Lord the Member for Lynn; and that the loss of that measure was the chief foundation of his opposition to the Irish Poor Law Bill. He should not be tempted upon the present occasion into a discussion of that measure. He differed from the noble Lord the Member for Lynn in respect to the value of that measure. He did not undervalue the advantages that would accrue to Ireland from the making of railroads there; but he could not persuade himself that the adoption of the noble Lord's measure would afford the relief to Ireland which he expected. The right hon. Gentleman the Member for the University of Dublin (Mr. Shaw), in his objections to the measure, had pointed to the condition of certain parts of Ireland, and especially to Mayo, and had asked, if the distress there was so great, whether, under the poor law, the proprietors and property would not break down altogether? If the right hon. Gentleman put the question to him (Mr. Labouchere) he would put the case thus: if such were the present condition of Mayo, when there was no poor law at all, and supposing its condition remained the same, if he asked whether that county could support its population, he should say it was impossible, and he should despair of Ireland; but with his knowledge of Irishmen and Irish energy, it was his belief that the poor law would prove a stimulus, and, instead of crushing, would rouse and invigorate them. With respect to Irish landlords, he had never joined in the sweeping invectives which had been uttered in that House against the conduct of the landlords of Ireland as a class. He agreed with many of the Irish Members that great injustice had been done to them in the House, and that it was most unfair, in considering their conduct, to put out of view their great and peculiar difficulties. His belief was, that if as much pains had been taken to bring to light the conduct of those Irish landlords, who, under circumstances of great discouragement, had exerted themselves to improve the condition and save the lives of those around them, as there had been to hold up to obloquy those who had neglected their duty, a very different impression would have been made upon the minds of the public. He had been particularly struck with the conduct of persons of small property in this respect; and he would venture to say if the conduct of all the clergy of Ireland were known—if the House could but see how many of these unobtrusive clergy had given up their incomes—how sold their books—how laboured day and night for the poor—and how they and their families had been employed assisting them, and managing and maintaining soup-kitchens, and how much of this unpretending exertion had taken place—they would feel what deep injustice had been done them. In many instances the gentry had not supported the Government as energetically as they might have done, nor seconded the exertions of the Executive with as much earnestness as might fairly have been expected from them; but it frequently happened that those who were liable to this charge were exceedingly active in their own particular locality, and amongst their own neighbours. The Government had perhaps a right to complain of them as public men, doing public duties; but the cause of this defection was, that in Ireland those public duties were for various reasons exceedingly arduous and difficult of accomplishment, whereas the works of unobtrusive charity and benevolence were congenial to their nature, and did not subject them to trials of a very severe character. Hence it was, that while they failed in the one case, they acquitted themselves most commendably in the other. He was very much averse to the practice of mentioning individual names and particularising individual benefactors in instances of this kind; but so frequently had the names of gentlemen connected with Scotland been quoted, and so often had their names been mentioned with commendation, and most deservedly so, in that House, that he felt it due to the gentlemen of Ireland, that he should particularise at least one of their class—a gentleman of whom he did not hesitate to assert that his exertions in the cause of suffering humanity would bear a favourable comparison with those of any man, not only in Scotland, but in any other portion of the British empire. He was confidently assured that this benevolent gentleman did not stand alone; on the contrary, he was convinced that he was only one of a numerous class whose deeds were equally calculated to challenge admiration. He knew nothing of the gentleman whose name he was about to introduce, until he received the letter which he was now about to submit to the consideration of the House. That letter was written by a Government officer, who felt it to be his duty to take notice of the extraordinary efforts which a single proprietor was making in the county of Sligo —a district where the pressure of distress was felt most severely—to mitigate the sufferings of his fellow-creatures. He repeated, that of the gentleman himself he knew nothing personally, nor should he have been made acquainted even with his name, were it not that his exertions in the cause of humanity attracted the notice, and of course the admiration, of a Government officer. The gentleman in question was Sir Robert Booth, respecting whom Captain O'Brien wrote a letter to Mr. Walker, the Secretary of the Board of Works, descriptive of his exertions on behalf of the poor in his neighbourhood:—

> "Sir Robert Booth's estate is large, and the supplies he has procured would keep those of his own well enough, were he not pressed also to find his neighbours' tenants. At his own place, Lissadale, he has established two soup boilers, which make each 140 gallons of soup; and I calculated the cost of the soup in each boiler to be about 32*s.* 6*d.* He gives, gratuitously, 280 gallons of this soup per day, including Sundays. He sells, six days in the week, 150 loaves per day, each being four ounces larger than the fourpenny loaf sold in Sligo, and sold by him at 2*d.* per loaf. He also sells 30 tons of Indian corn per week, at a reduced price, and gives a portion of Indian corn to 30 persons daily. In this manner he has provided for the poor, and sold, through the agency of his chaplain, Mr. Tiffcote, since the 29th of August—Indian meal, 393 tons; barrel flour, 70 tons; whole wheat flour, 40 tons: biscuit, 9 tons; rice, three tons; oatmeal, 12 tons; total, 527 tons. He has still a good deal in hand, and he has ordered on his own account, in addition—Indian corn, 2,375 tons; new seed oats, 81 tons; hogsheads of flaxseed, 10 tons. He has now at this moment in Greenock, ready to be shipped, but he is in difficulty respecting freight—200 quarters of oats, 23 quarters of barley, 200 loads of beans, 18 tons of peas, 100 barrels of flour, 180 barrels of wheat, 99 tons of oats, 25 tons of barley meal. Much good would be done, if the Government could assist Sir Robert Booth in having this large quantity of food transported into Sligo. What he has done for the part of the country in which he resides has been so well done, that it would prove a real blessing to enable him to do more."

The Government, he was happy to say, had been enabled to afford some facilities to Sir Robert Booth, by placing steamboats at his disposal for conveying the provisions which he purchased on so munificent a scale, for the benefit of the perishing people. It should be remembered, that all this had been done by Sir Robert Booth without ostentation or parade. He never took measures to have his actions made known through the medium of the newspapers, nor did he permit his name to be brought ostentatiously before the public; and yet without meaning the slightest disrespect, or the least disparagement to any gentleman in Scotland, he would take the liberty to say that Sir Robert Booth's exertions deserved to be mentioned as quite as meritorious as those of any one in that country. He did not believe this to be a solitary instance. In all parts of Ireland it was to be recorded, to the credit of that country, that persons were to be found who dedicated their resources, nay their very existence, to the generous object of relieving the terrible destitution by which they were surrounded. This admission he was delighted to be enabled to make; but it was equally true (and it was right that the whole truth should be known) that while there were many proprietors in Ireland who nobly discharged the duties which were attached to the possession of property in this season of unexampled calamity, there were others who had not done so; others who, though they derived great incomes from the country, were absent from it in foreign lands, when their presence at home was imperatively required, and who were totally neglectful of the duty they owed to themselves and their native country. But it was not the least valuable of the recommendations of the Bill now under consideration, that it would force proprietors of that class to contribute in purse to the relief of Irish distress; and that it would give them a selfish interest, at all events, in keeping down destitution by affording employment to the poor on their estates. If they neglected doing so, they would know that they would have the shame and sorrow of supporting those poor people out of their own pockets. This he considered a most valuable provision, and he was sure that it would be so regarded out of doors; for however willing the people of this country might be to contribute to the relief of distress in Ireland on particular occasions, the general feeling was, that they ought not to be called upon to do so until they saw that Irish property contributed its fair share to the burdens of the country. These were the general reasons which induced him to assent to the principles of this Bill. The details could be discussed in Committee, and he hoped they would receive the mature deliberation their importance deserved. On those details he would not upon the present occasion enter; but in a general manner he had endeavoured to convey to the House the considerations which induced him to give his cordial support to the proposition of going into Committee on a measure, whose great and vital principle was this, that it made Irish property chargeable with the support of Irish destitution.

MR. SMITH O'BRIEN admitted that it was impossible to exaggerate the munificence of individuals in England towards Ireland; but he would not hesitate to declare his conviction that the Government, having at their command, as they had, the resources of the richest country in the universe, might have done much more on behalf of the Irish people. He could not resist the conclusion that if they had from the first pursued a policy sufficiently liberal and enlightened, Ireland might have been guaranteed against the calamity of death by starvation. If the five millions which had been spent on unproductive works had been advanced by way of loan for railways or other great national enterprises, Ireland would be in a very much better condition than she at present occupied. They could not have adopted a wiser course than to have undertaken to advance, for works of great national importance, a sum commensurate with what might have been raised by private capitalists; but they were now in the sixth month of the famine, and no reproductive works worth talking of had as yet been undertaken. Evening after evening was wasted in making attacks on the Irish landlords. He was not there to defend them; but he would say that if individual instances of their neglect of duty were made the groundwork of a general onslaught on them, it was not by any means just that private instances of a faithful discharge of duty should have been wholly disregarded. He maintained that instances, like the one alluded to by the right hon. Gentleman the Secretary for Ireland, should be received as indicating the spirit of the class. He could mention many similar cases; and amongst others that of the late lamented Mr. Saunders, one of the most accomplished and most highly cultivated gentlemen in the south of Ireland, who fell a victim to his efforts to relieve the distress. The "Irish party," to which he had the honour to belong, had also been attacked in that House; but he was sorry to find that it should be imputed to them as a reproach, that instead of upbraiding one another across the floor of that House, as was too often their habit, they united together in a season of calamity to consider how they might protect their country. He feared that owing to the influence of English party considerations, the "Irish party" might not be of as much service as they might otherwise be; for such considerations too often enervated the patriotic purpose of Irish Members, as was evidenced in the discussion on the Railway Bill of the noble Lord the Member for Lynn, when a threat of resignation from the Minister induced some of them to forget their country and remember their party. He wished it to be understood that he did not commit himself unreservedly to all the movements of the "Irish party," and he did not concur in their resolutions respecting the Bill now under discussion. He was in favour of out-door relief under certain regulations. With reference to the able-bodied poor, he was not for affording them eleemosynary support. It was employment, not alms, they wanted; but this principle ought to be observed. The poor should be secured a livelihood in the land in which they were born; and Ireland had no right to call on England to support her people. Unless, however, there was some concomitant subsidiary measure, he feared that the present Bill would amount to actual confiscation of the property of the landowners. He did not approve of increasing the number of *ex-officio* poor-law guardians, and thought the reasons assigned for the proceeding inadequate. The proposal to levy a rate upon each estate separately would hold out a premium to landlords to clear the people from their properties; besides which, it would operate very unequally, amounting to confiscation in some instances, and in others imposing merely a nominal charge. At the same time, it would be impossible to maintain the present mode of rating, which was unjust in its operation. The Government would find it necessary to revise the existing system of rating by electoral districts, and to apportion population more fairly in the several electoral divisions. If the Government should not attempt to effect that object, he would, in Committee, propose clauses upon the subject. As regarded the main question, the support of the population of Ireland, he was prepared, as an Irish representative, to support a proposition which he believed to be just, and to abide by the consequences.

Mr. ROEBUCK said, that the House would perhaps pardon him if he endeavoured to vindicate the opinions which he had taken the liberty to express on previous occasions. The right hon. Member for the University of Dublin had challenged him to take this course, for the right hon. Gentleman said he had discovered the motive for his conduct. The right hon. Gentleman's ingenuity or charity had suggested that he was by only one motive, namely, spite. Spite! Against whom? Against what the right hon. Gentleman was pleased to call the landlords of Ireland. Now, he had taken special pains during the whole of these discussions to say, that he did not know who the landlords of Ireland were. He had never been able to make them out exactly; but, for his part, he thought that the real landlords of Ireland were the tax-gatherer and the mortgagee. Now, he had never expressed any opinion against the tax-gatherer or the mortgagee. He had, indeed, said that gentlemen who professed to be the proprietors of land—who called and fancied themselves the possessors of large properties, and who had not the means of fulfilling the duties of those properties, had much better be removed from the very unpleasant and false position in which circumstances had placed them—that they should cease to be the nominal proprietors of land—that Ireland should get rid of the encumbrance of those who were really a dead weight upon its resources—and that the real proprietors of the soil should, at once, be called into active exertion to support the interest which they possessed in that country. Why did the House pause in its proceedings, and how was it that the question before it appeared to be surrounded with so much difficulty? Because, he ventured to say, there were, on the present occasion, two very different things before them. Two very different things were aimed at by the Gentlemen who spoke upon the question, and who, whilst aiming at one, pretended to be endeavouring to discover the other. Gentlemen said that they were agreed upon every point excepting that of out-door relief, and yet, one after the other, they proceeded to make speeches against any poor law whatever. If the House would permit him, he would, in a few moments, run over the points of coincidence, and then he could get at the real thing in dispute. But before doing that it was necessary to understand whom the House was endeavouring to relieve, and the mode by which it sought to effect its object. At the present moment there happened to be in Ireland this remarkable condition of the people. A large portion of those who were called her labouring population did not subsist by labour, but their very lives depended upon the produce of small portions of land: the parties to whom that land belonged were connected, indeed, with Ireland by birth, but living for the most part in this country, between whom, therefore, and the people, there existed no sort of tie or connexion. If anything like what had happened last year in that country should occur again, the same circumstances would continue, and the same results would follow, namely, a large multitude of persons would be dependent upon small portions of land, returning very minute portions of produce to maintain a large number of individuals; and if there should be a failure in that produce, it would not be only the failure of one, but the failure of all: the calamity would be general, and universal distress would prevail. That condition of things had been brought about by a system of dividing the land. There was this peculiarity belonging to this minute division of the land—all the disturbances which agitated that country arose from agrarian disputes, and not from national or religious differences. It was not because one part of the population was Catholic, or another portion of the population was Celtic, that agricultural disturbances had taken place; but it was because the population had always felt and distinctly understood that their holding a portion of land was absolutely necessary for their very existence. They felt that the law had not been their protector; therefore was it that they had had recourse to that system of self-protection to which they had been driven by dire necessity: the exigencies of their situation had driven them to assassination. A man holding one or two acres of land in Ireland from an imperious landlord did not find, as in England, that in the hour of distress the poor law would sustain him, and the workhouse afford him shelter, but starvation and famine stared him in the face. That poor man, having to determine what to do for self-preservation, resorted, with his fellows in suffering, to a system of secret conspiracy to avenge themselves of the law which crushed them. It was well known—for it had often been proved—that all the conspiracies concocted by the people in Ireland, had been for the purpose of maintaining their holdings against the domination of their landlords. From one end of Ireland to the other, those conspiracies extended—they reached from shore to shore; and to carry out that wild spirit of justice to which their sufferings had goaded them, aid was brought from the north and from the south, through the agency of this widely-spread secret conspiracy. And what was all this work to accomplish? Why, to maintain the poor man in his wretched holding; to maintain him in that miserable condition which was the lot of a very large portion of the population of Ireland. But a great calamity had befallen that country; and England, brought by her own wants and suffering condition to look narrowly into the condition of the people of Ireland, had at length discovered the real cause of all the evils that afflicted that country. "It is understood now," she said, "what is going on there; to prevent, therefore, this dire condition of the people, and stay men from appealing to that wild spirit of justice, that unhappy and unchristian mode of merely maintaining their existence, we will introduce into that country the mild spirit of the English law, and make it the means of producing in the people a disposition of submission and obedience to the constituted authorities, and a readiness to act in accordance with the law of the land." This was the will of England, and in a spirit of mildness and gentleness she sought to inculcate public morality among the people of Ireland. Who were the opponents of this righteous proposal? The landlords of Ireland. On the one hand there were men who, putting aside all considerations of self, of party ambition, of personal aggrandizement, forgetting that they were apart from this calamity, devoted themselves, to the best of their ability, and for the purpose of promoting the happiness of their fellow-subjects, to devise a well-digested scheme of legislative relief. On the other hand, even while they were debating, there was to be seen a body of men, who were rich, banded together for the most selfish purposes against the poor, and bringing to bear all the power which their station and intellect could command, to resist that which to a generous mind should be an imperious duty. Might he not ask the House to look upon this picture and upon that? They were the counterfeit presentment of two brothers; very different indeed in all the lineaments he had traced; for by the words he had used he had faithfully described the gentlemen of England and the gentlemen of Ireland. It was said, indeed, that the law of England was not applicable to the circumstances of Ireland; but he would defy those hon. and right hon. Gentlemen who had maintained that argument, after all their virtuous talk, to prove to him that there was aught in the condition of Ireland which would make what was a beneficent act of legislation for England, an unfit measure for Ireland. But that was an argument which had been very strongly put by the right hon. Gentleman the Member for the University of Dublin (Mr. Shaw). Ireland, said that right hon. Gentleman, was ruined. He should like to know what the right hon. Gentleman meant by Ireland. Did he mean the millions of her working population, or the narrow-minded sects, of one of which he had been a favourite born child—sects that instilled feelings of the bitterest hostility against the English into the mind of the Irish people? By the way, that right hon. Gentleman took upon himself the other day to act a part which would make him feel himself to be in a most painful situation were he ever to come under that right hon. Gentleman in his judicial capacity. The right hon. Gentleman had acted both as judge and jury; and when he made a statement upon the authority of parties whose names he had given, that Irish landlords kept packs of hounds in high condition, while human beings were perishing from want at their own gates, the right hon. Gentleman, first of all saying that he knew nothing of the parties, declared that he had such confidence in the character of an Irish gentleman that he was sure the statement could not be true. But what happened? Up got the hon. Member for Cork (Mr. D. Callaghan), and from his own personal knowledge verified the whole statement. That hon. Gentleman said, that the gentleman in question, who kept seventy dogs in such excellent condition, lived twenty miles from the starving population, and that he had a capital set of dogs, and that they were kept in capital order; that it was a capital country, and that the dogs were in admirable condition, and all fit for a good fallow coursing country. Did the English gentleman who might be living in Yorkshire measure the number of miles that he might be living from the destitution of Ireland, and find his benevolence diminish in a geometrical proportion: but did he not also feel that he owed a duty to his neighbour as well as to others? The right hon. Gentleman the Recorder of Dublin, said that he knew he (Mr. Roebuck) was wrong, and, acting in the character of judge and jury, condemned him in preferring his own high estimation of the character of an Irish gentleman to the facts stated in evidence, and yet afterwards came forward a self-convicting witness, and proved the case against himself, and the truth of every word that he (Mr. Roebuck) had uttered. [*Laughter*]. However they might laugh, this was a lamentable exhibition to be made before the whole of the great European and civilized world; but that lamentable exhibition was not made by those independent English gentlemen who were insisting on measures for the benefit of the poor Irish, but that exhibition was made by those who were fighting this question, as it had been admitted by an hon. Member on the opposite side, against time, so that the poor should be put off, and the benefit be conferred upon them at as distant a period as possible, by their continuous efforts of talking. He would repeat, the exhibition was not by those who were determined, however persevering hon. Gentlemen opposite might be, to bring within the pale of a poor law, founded on English feeling and common sense, the destitute people of Ireland. [*A cry of* "Divide!"] Divide! there would be no division; there would be much talk, but no man had pretended that this question would go to a division. Now, he would ask what it was those Gentlemen were really fighting for? The Gentlemen of Ireland, who now represented in that House the landlords of Ireland, said they were willing to have a poor law for Ireland. Now, a poor law meant that there should be a right on the part of the destitute poor to receive relief. A right!—a right to receive relief somewhere and in some fashion. That involved a law of settlement—that involved a law of removal—that involved the whole administrative portion of the poor law as we had it in this country; so that there was now no quarrel in respect to the administration of the poor law, in respect to settlement or to removal, or to the maintenance of such of the poor as might be disabled from working by actual incapacity, whether arising from old age or sickness; so far they were all agreed. Therefore they had got all the machinery of a poor law; they had got the houses—they had got the settlement and the removal, and what they were disputing about was simply out-door relief. The noble Lord (Lord J. Russell) had explained the other night—and indeed he had on several occasions explained—that on this point what he was about to introduce into Ireland was pretty much the law which we had in England, namely, that there should be some means devised of determining whether a man who applied for relief was really in want or not; but he understood the noble Lord to state at the same time that there should be no thrusting of the poor into the workhouse indiscriminately without some means being adopted of ascertaining what were the real circumstances of each case; and he (Mr. Roebuck) would therefore put this consideration to the gentlemen from Ireland:—Suppose a pauper was idle and would not work, what was to be done with him; was he to be fed at all events? No, he (Mr. Roebuck) said, they ought to have some test—something to show that the man was really in want, previous to his obtaining relief; and that there were peculiar circumstances which furnished the grounds on which that man wanted some assistance. He thought they ought not to thrust any man at once into the workhouse without inquiry. An inquiry ought to be instituted in every such case; and if, after that inquiry, a suspicion existed that the man was not a deserving person, then they ought to put the question to him, "Will you come into the workhouse, and work there, since, as you say, you cannot find work elsewhere?" He had put that case to Dr. Collins, who was a highly respectable enlightened person, and his reply was, "But suppose the workhouse is full, and that we cannot there maintain the poor, who are really and substantially in want, and calling on us to maintain their existence?" His (Mr. Roebuck's) answer was, that the law of England, and that which ought to be the law of Ireland, was, that they should not turn round upon the people and say, "The workhouse is full, and therefore you cannot have relief." At this moment they were paying for out-door relief to the poor to a pretty large extent, with very little test of the necessity of the case in each individual instance; there were now nearly 700,000 persons receiving that species of relief. But there never had been heard a murmur against this out-door relief, so long as the Irish landlords were not called upon to pay the expense, and there never would have been. That was the whole question. Ireland in these Gentlemen's mouths meant themselves and their purses, and when they talked of Ireland being ruined by out-door relief, they meant their own estates being ruined. But when the landlord of Ireland was told that he would be obliged to do that which his property entailed upon him as a primary duty and a serious and solemn obligation, he could not think that could be the ruin of any country, much less of such a country as Ireland. He thought that Ireland was just in the position at this moment to advance in the progress of civilization and improvement, as the right hon. Member for the University of Dublin (Mr. Shaw) had expressed it. He had seen some little symptoms with respect to Ireland which he thought were far more important as indicating progress in those respects than anything which the right hon. Gentleman (Mr. Shaw) had mentioned. He (Mr. Roebuck) had lately seen large importations into Liverpool from Ireland of a very different breed of pigs and cattle than he used to see them twenty years ago—a far more significant symptom of the real state of the country than was contained in any of the lachrymose statements of hon. Gentlemen opposite. The fact was, in his opinion, that the country had improved more in the last twenty years than any other country in Europe in the same time. What was all this crying out they had heard so long from that country? Why, that very outcry was a symptom of national advancement. It was not those men who were in the lowest state of degradation that complained, but those who were in an improving condition, and saw scenes of better prospects opening out before them, which they wanted to reach, that were wont to complain. That was the reason of this continued outcry. "But," said the hon. Member for Limerick (Mr. Smith O'Brien), "give us a national Parliament, and all will be well." Now, perhaps he (Mr. Roebuck) could conceive the hon. Gentleman all at once endued with the great qualities of an Irish representative, marching up the streets of Dublin, to take his place in the national Parliament; but reverse the picture, and see him when he was called on to open his own nation's purse for the good of the people of Ireland. The other hon. Member for the University of Dublin (Mr. G. A. Hamilton) had told them of the number of presentments that had been made somewhere in Ireland, to the extent of 86,000*l*. But that sum was all paid out of the English Exchequer; and yet the hon. Gentleman stated that 86,000*l*. as being 2*s*. in the 1*l*. on the estates of the landlords of the district—a most Irish way of making out an account truly. But then it was said the landlords were to repay it. He (Mr. Roebuck) never trusted to that repayment. There was nothing like the utter carelessness of a broken-down man as to what he promised to repay. A shilling in hand was worth 20*s*. in promise. Some one reminded him that the country was not broken down. True, but the landlords were. If not, why did they refuse their assent to this measure? He must have them on one of the horns of that dilemma. If they were not ruined, they ought to pay to the relief of the poor; and if there were an honest co-operation of all parties in Ireland for clearly benevolent purposes, he should be the last man to offer any strictures on the conduct of the landlords of that country; but the fact was, the only agreement that took place among the parties into which that unhappy people were divided, took place when they came to England to get something from England's purse. The moment that Irish questions arose amongst them, the different parties flew off from their alliance, like some antagonist forces driving in opposite directions. The hon. Member for Limerick (Mr. Smith O'Brien) darted across Palace-yard, declaring he would not be a party to this measure; Lord Monteagle went across to the Treasury, assuring them he would be no party to that measure; other Gentlemen went off on various other measures; and at last there were found assembled in Palace-yard only two Gentlemen, who called themselves "the national party of Ireland." The unity of these parties was that unity which subsisted between persons who were leagued together to attack another man's purse. Such illustrations were not wanting in other times of the history of Ireland. If, however, he could see the right hon. Member for Dublin University lying down like a kid with the lion, the hon. and learned Member for Cork (Mr. O'Connell); if he could see those Gentlemen humanely conferring together, and engaged in gentle schemes of a really benevolent intention, he should feel some reliance on the truth and sincerity of the reconciliation of Irish parties; but when he saw the fire of intensely burning bigotry still as strong in the mind of the right hon. Member for Dublin University as it was ten years ago, when he spoke in that House on the subject of a Coercion Bill for Ireland, and when he recollected how lately the right hon. Member's zeal had blazed up, he was persuaded that those embers had at present the curfew cover put over them only to be lighted on the morning when the bell rang. The fire there was smothered for the present only, in order to blaze out by and by as fiercely as ever. That was proved the other day. When the hon. and learned Member for Kinsale brought forward his proposition to rend away the last wretched rag of bigotry, in what spirit was the measure resisted? Why, were not these significant symptoms of what was going on in Ireland? The fact was, that the safeguard of that country was to be found in the good sense of the English and the Scottish nation. It was to be found on this side of the Channel; and he warned the Irish Members to beware, lest they stretched the tie too tight by which they were allied to England. He felt that every hour in which he acted as a representative of this country, the pressure from without was coming upon him; he found that from every part of the country it was asked, how it was that in an assembly like that, representing the hardworking millions of this country, they were asked to throw their shield before that part of the Irish people who refused, in the language of the noble Lord, to do their duty in the situation in which they were placed? The right hon. Member for the University of Dublin, in casting about for the motives which hon. Members could have for supporting this Bill, had thought he had found one in popularity-hunting; he had insinuated that it was to gain the goodwill of the people of England that they were attempting to pass a poor law for Ireland. Now, what did this mean? It meant, the attempt of good men to obtain good will for good deeds. When he wanted his countrymen's approbation, he tried to do justice. Well, he did seek his countrymen's approbation, and he believed he would obtain it by doing justice to Ireland. He believed he did justice by imposing upon Ireland a fair and stringent poor law, which should make the landlords of Ireland understand their own interests, and provide for the real destitution of the people. If any hon. Gentleman felt this to be an imputation on him, he only asked that hon. Gentleman to meet his fellow-countrymen, as he was ready to meet his, in any part of England; and he felt quite sure that if in any assembly of his countrymen the question was put, whether the landlords of Ireland should have a poor law imposed upon them, and whether there should be equal taxation laid upon Ireland as upon England, not a man would dare to hold up his hand against it. One of these propositions had, nevertheless, been negatived in that House; but it was only deferred; for, as sure as the sun would rise to-morrow—and he had little doubt of that event—he felt that complete taxation for the Irish landlords would take place, both as respected the national exchequer and the support of the destitute poor. He felt that this was a great act of justice due to the Irish people, due to them by England, which had too long fostered the pernicious system which had invariably tended to demoralise the Irish landlord, as had been stated by the hon. Member for Limerick. He felt that it was due from England, which had long done this wrong; and as the wrong had been done by her, he saw that in her alone lay hope for the people of Ireland; and as he did hope that it would be a real benefit to Ireland to have an effective poor law, he meant to support to the utmost of his power the proposition which had been made to the House. The time would come when he should have to criticise that measure from beginning to end, and to show how inadequate at present, and yet how fruitful of future benefit, was the proposition of the noble Lord, which he now most cordially supported.

Sir W. VERNER remarked, that the Bill professed to provide for the destitution of Ireland. It seemed to him, however, that it was better calculated to create destitution than to provide for it. He could not from any data existing estimate the number of persons who might apply for relief under the Bill; but he felt certain that the poor farmers occupying from five to ten and fifteen acres would be irrecoverably borne down by the pressure of the heavy rates upon them. He considered the proposition to be unjust, because it was unequal. It threw an oppressive burden on the proprietors and occupiers of land, and let the moneyed man go free. Now, he maintained that it was only fair and proper that the persons holding official situations should take their share of the tax as well as the farmers and labourers, who worked with their hands for the support of their families; and not only them, but he felt that the fundholder, who possessed perhaps thousands upon thousands, should also be obliged to contribute his share. It had been said that they ought to support the Bill because no person had suggested a better. This did not appear to him a good argument. He had wished to see a measure to which he could cordially assent—he had desired to see a measure upon which all the talent and wisdom and experience of the Government were combined; but he regretted to say he had not yet seen such a Bill. He did not say that such a Bill would not prove beneficial to Ireland; but he wished to hear the sentiments of persons on all sides of the House expressed on it; and he hoped that before it passed it would be made as fair as possible, and such as Irish Members could cordially agree to, which he feared they could not do at present.

Mr. M. J. O'CONNELL, in reference to the speech of the hon. and learned Member for Bath, said, that what he complained of was, not the fact of hon. Gentlemen in this country supporting a poor law for Ireland; but that, in the course they thought it consistent with their duty to take in so supporting that principle, they should introduce matter into these discussions unfortunately too popular with a section of the people of this country, namely, indiscriminate attacks upon the landlords of Ireland. For his own part he was as ready as the hon. and learned Gentleman to give his support to this measure; but he was not willing to join in attacks upon Gentlemen who, though they might sit on the other side of the House, had thought it their duty not to support this proposition. With respect to the attack of the hon. and learned Member for Bath, or the right hon. and learned Recorder of Dublin, he considered he had done the right hon. Gentleman great injustice; and when he accused him of bigotry, he would put it to the House—he would appeal to all who heard him—whether there was any man among them who, in the discussion of Irish questions, had shown a greater forgetfulness of past party and political differences than had that right hon. and learned Gentleman. The right hon. Gentleman had voted against the proposition of the noble Lord the Member for Lynn for an advance of public money in promotion of Irish railways, and had supported the Government on that occasion, for a practical reason; and now the hon. and learned Member for Bath said, that, though that might be the case, still he voted against the measure of the hon. Member for Kinsale (Mr. Watson) for the repeal of the penal statutes against the Roman Catholics. He certainly could not but regret that vote on the part of the right hon. and learned Gentleman; but it would not be fair or just to accuse him of bigotry in having so voted, as it was known that he had only voted consistently with his principles and former votes, and in accordance with what he considered the honest and conscientious discharge of his duty. The hon. and learned Member had also attacked the hon. Member for Limerick (Mr. S. O'Brien), for that he and other Irish Members spoke against time on these Irish questions; but he thought that that was hardly fair when the hon. Member he had attacked, was going to vote on the same side as himself (Mr. S. O'Brien). With reference to the Bill itself, and the question of whether the rating should be taken over the union, or the electoral divisions, he should, when the 10th Clause of the Bill came before the House, give his vote in favour of an union rate, although he was ready to vote for the other principle, provided that its advocates could show him, what he had not discovered from any of the arguments used in support of it, that it could be carried out without a confiscation of property. It appeared to him that hon. Members who opposed the clause for giving out-door relief, had fallen into a very extraordinary mistake. The first clause in the Bill enacted that out-door relief should be given to the helpless poor at the absolute discretion of the boards of guardians; and the second clause provided that out-door relief should be given to the able-bodied poor with the sanction of the Commissioners, and for a period of only two months at a time. Now, in his opinion, it was the first and not the second clause that was most calculated to excite well-founded alarm in the minds of Irish proprietors; and yet it was against the second clause that all the attacks of the opponents of the measure had been directed. For his part, he hoped that the principle of the first clause would be very cautiously carried into effect, for he believed that it might otherwise not only impose a grievous burden on property, but might lead to the demoralisation of the poorer classes in Ireland. There was, however, not much in out-door relief to give alarm to his country; and he believed that the Irish party—or the "happy family," as they were called—had come to the conclusion at which they had arrived on that question in the most honest spirit; but he regretted that they had come to that conclusion. He wished to see the first clause rendered more stringent, but he would support the second as it stood. With respect to the other details of the measure, he would not go into them on that occasion; but before he sat down, he wished to express a hope that though the Irish Members did differ upon the question of the poor law, they might be found, in the discussion of these measures, to show some forbearance to each other, and an honest forgetfulness of party differences. The hon. and learned Member for Bath talked of lamentable exhibitions. This Session had certainly been witness of many lamentable exhibitions; but of none, in his opinion, more lamentable than that in which, at a time when Ireland was suffering under so grievous a calamity, and the good and generous of England and Scotland were doing all they could to assist her; honourable, eloquent, and able Gentlemen—he knew not for what motive—made use of such an occasion to rake up past party and political disputes and differences; to throw the apple of discontent among them; and to awaken the national antagonism of the English and the Scotch against the Irish people. The speeches of the hon. and learned Member for Bath, he would only add in conclusion, might amuse as mere eloquent displays; but, for his own part, he considered they would be very dangerous models for legislation.

Mr. CALLAGHAN wished to call the attention of the House to two points in the poor-law system the noble Lord was about to introduce into Ireland. The first was, the giving relief to certain classes out of the workhouse; the other, the alteration in the construction of the boards of guardians. He was not one of those who were opposed to giving relief to the poor in the same form as in England; and though, under the peculiar circumstances of Ireland, this might amount to a virtual confiscation of property in Ireland, yet, as such a measure was become necessary, he was willing to bear his share of that odium. What he objected to in the Government proposition was the other point, the allowing relief to be given to the poor, without the control of the ratepayers, by irresponsible magistrates acting as *ex-officio* guardians. He could understand why there should be *ex-officio* guardians; but the noble Lord had given no reason why the number should be so greatly increased, and he was decidedly opposed to it. He thought the noble Lord was not right in introducing measures only adapted to the present moment; for if the present state of things should continue for another year, they would find they had been making Acts of Parliament for nothing. In the town he represented, the poorhouse was built for 2,000 paupers; but there were now within it 5,600, and 1,200 more received relief out of doors. Moreover, in one street of the same town, two-thirds of the shopkeepers had become insolvent. He entreated the noble Lord not to listen to this party or that, but to give the country an efficient poor law; and to take care that the ratepayers had efficient control in deciding what the rate should be, and in administering it.

Sir A. BROOKE approved of out-door relief with certain modifications; but he thought at the present time, when 700,000 or 800,000 were receiving out-door relief on the public works, a measure like the present would be most fatal and dangerous to the interests of the country and the moral character of the people. They might rest assured that those upon the public works would not be satisfied to return to their former position in the country: they would expect to receive out-door relief, and would naturally come to the conclusion that this measure was brought forward by the noble Lord to afford them the means of living without any adequate return on their parts. Another ground on which he objected to the measure was, that he saw no security whatever that the poor should derive their maintenance from the property on which they were reared; and he thought it was not just or fair towards gentlemen who did all they could for the interests of the poor, to saddle them with the poor of the absentee proprietors, or those who habitually neglected them. He would postpone any observations on the details of the measure until it should be in Committee. He could not, however, sit down without expressing his strong disapprobation of the language held by the hon. and learned Member for Bath, which was scarcely what he should have expected from any Englishman, whose characteristic it was never to strike a man when he was down. How different was the tone of the right hon. Secretary for Ireland, and the noble Lord at the head of the Government, actuated by all the fine and manly feeling of an Englishman. There was one point on which the noble Lord appeared to have been misinformed, namely, with respect to the liberality of Irish landlords, whose contributions he had set down at from 100*l.* to 300*l.* The noble Lord would find, if he would inquire into the matter, that a very large proportion of the Irish landlords had contributed as many thousands; and although, in many instances, there existed reasons for not putting their names forward before the public, he knew many instances of such liberality. He knew one instance, in which a gentleman lost one or two vessels which were coming home laden with corn, for the relief of the people.

Lord J. RUSSELL said, he had received a letter from Lord Monteagle, calling his attention to an omission in his speech, as to what took place when the deputation of which the noble Lord formed one, waited upon him some short time since. He had omitted to state that one of the deputation, on being asked what remedy was proposed besides private charity, said, that the landed gentry of Ireland were willing to submit to any charge on their property for providing in-door relief, and the extension of workhouses. The expression certainly did not make much impression on him at the time, or he certainly would have adverted to it for the purpose of showing how impracticable such a scheme would be. It was, however, only justice to Lord Monteagle to say, that his statement, in this respect, was perfectly correct.

House went into Committee, *pro formâ*, and resumed. Bill to be re-committed.

House adjourned at One o'clock.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME XC.

BEING THE SECOND VOLUME OF SESSION 1847.

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1*R.* 2*R.* 3*R.* First, Second, or Third Reading—*Amend.*, Amendment.—*Res.*, Resolution.—*Com.* Committed.—*Re-Com.*, Re-committed.—*Rep.*, Reported.—*Adj.*, Adjourned.—*cl.*, Clause.—*add. cl.* Additional Clause.—*neg.*, Negatived.—*l.*, Lords.—*c.*, Commons.—*m. q.*, Main Question.—*o. q.* Original Question.—*o. m.*, Original Motion.—*p. q.*, Previous Question.—*r. p.*, Report Progress—*A.*, Ayes.—*N.*, Noes—*M.*, Majority.—1*st Div.*, 2*nd Div.*, First or Second Division.

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Page 506 line 20 *for* Colonel Fox, *read* Major General Fox.
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